

Austin, Texas,  
May 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 30, A bill to be entitled "An Act authorizing the transfer of properties of county junior college districts after a State-supported senior college had been created within said districts, to such senior college; providing that such junior college districts shall not further maintain a junior college; authorizing the levy of taxes annually to pay off outstanding indebtedness of the junior college districts and to pay necessary administrative costs; authorizing the issuance of tax-supported bonds for the purpose of paying off revenue bonds of such districts; authorizing temporary loans for paying off current operating expenses; validating all proceedings of the Board of Trustees of such districts; repealing all laws or parts of laws in conflict; containing a severability clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to the Governor

May 20, 1965

S. B. No. 30

S. B. No. 102

#### SIXTY-SEVENTH DAY

(Friday, May 21, 1965)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Moore
Colson	Parkhouse
Crump	Patman
Dies	Reagan
Hall	Richter
Hardeman	Rogers
Harrington	Schwartz
Hazlewood	Snelson
Herring	Spears

Strong  
Watson

Word

Absent—Excused

Creighton

Ratliff

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Ratliff was granted leave of absence for today on account of illness in the family on motion of Senator Aikin.

Senator Creighton was granted leave of absence for today on account of important business on motion of Senator Aikin.

#### Morning Call Dispensed With

On motion of Senator Dies and by unanimous consent the Morning Call was dispensed with.

#### Remarks Regarding the Elevators

On motion of Senator Aikin and by unanimous consent the Secretary of the Senate was directed to contact the State Building Commission regarding the operation of the elevators in the Capitol Building so that Members could reach the floor for the convening of the Session.

#### Senate Resolution 717

Senator Hardeman offered the following resolution:

Whereas, May 21, 1965 marks the anniversary of the birth of one of our most distinguished and dedicated colleagues, Honorable Louis Crump of San Saba; and

Whereas, Throughout his years of service to his District and to his State, the Senator from San Saba has demonstrated his patriotism, his ability and his desire to render unselfish service for the good of all Texans; and

Whereas, It is the desire of his colleagues to extend to Senator Crump their congratulations on his birthday anniversary and best wishes for a long and happy life; now, therefore, be it

Resolved by the Senate of Texas,

That it does hereby extend its felicitations and congratulations to the distinguished Senator from San Saba on the occasion of his birthday anniversary; and that a copy of this Resolution, under the Seal of the Senate, be presented to Senator Crump as a token of the esteem in which he is held by his colleagues and wish for him many more years of devoted service to the State.

#### HARDEMAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Blanchard, Calhoun, Cole, Colson, Creighton, Dies, Hall, Harrington, Hazlewood, Herring, Hightower, Kazen, Kennard, Krueger, Moore, Parkhouse, Patman, Ratliff, Reagan, Richter, Rogers, Schwartz, Snelson, Spears, Strong, Watson, Word.

The resolution was read.

On motion of Senator Word and by unanimous consent the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

The resolution was then unanimously adopted.

#### Senate Resolution 718

Senator Hardeman offered the following resolution:

Whereas, The Diamond Jubilee Period of the City of Sonora and Sutton County will be celebrated in August, 1965, as a tribute to those early settlers who braved the frontier hardships of isolation and drought, hunger and Indian raids, as they moved Texas civilization farther westward; and

Whereas, Sonora, in the north central part of Sutton County, originated as a trading post on the old San Antonio-El Paso Road when F. F. Van Stucken opened a general store on the townsite in 1890, the year that Sonora became the county seat of the newly-organized county; and

Whereas, Sutton County was created from a part of Crockett County in 1887, and was named for John S. Sutton, Lieutenant-Colonel of the 7th Texas Cavalry, Confederate States of America, and former captain on the Texan Santa Fe Expedition and participant in the Mier Expedition; and

Whereas, Around the time the county was created, Charles F. Adams settled near the townsite of Sonora, which had been located on earliest re-

corded surveys made in the late 1880's by John McNicol; and

Whereas, Earlier, around 1879, the first Anglo-American settlers had arrived, among them, E. M. Kirkland, who brought a herd of sheep to the free range, thus starting the ranching enterprise which has given Sonora prominence as an outstanding wool and mohair center in the United States; and

Whereas, The Panhandle and Santa Fe Railroad reached the town in June, 1931, to facilitate shipment of wool, mohair, cattle and lambs, which have been largely responsible for the area's thriving economy; and

Whereas, Citizens of Sonora and Sutton County are known throughout Texas for their enterprise and high sense of civic responsibility, and the Annual Sonora Wool and Mohair Show has gained national and international attention; and

Whereas, The Senate of Texas wishes to recognize the Diamond Jubilee period of Sonora and Sutton County, with its progress and development and to express its appreciation for the public-spirited citizens of that area who have planned this observance to perpetuate a part of their Texas heritage; now, therefore, be it

Resolved, That the congratulations of the Senate of the 59th Legislature are extended to the people of Sonora and Sutton County as they celebrate their Diamond Jubilee; and be it further

Resolved, That copies of this Resolution, under the Seal of the Senate of Texas, be forwarded to the Mayor of Sonora; to the County Judge of Sutton County; the President of the Sutton County Chamber of Commerce, and to The Devil's River News, published in Sonora since 1890, as an expression of the good wishes of this body for a successful Seventy-Fifth Anniversary celebration.

The resolution was read and was adopted.

#### Senate Resolution 721

Senator Herring offered the following resolution:

Whereas, We are honored to have as a visitor in the Senate today Mr. William O. Hall of Kingston, Jamaica; and

Whereas, He is an Information Assistant with the United States Information Service at the American Em-

bassy in Kingston, Jamaica, and is visiting the United States to observe the political, economic, and cultural aspects of American life; and

Whereas, In connection with his tour, Mr. Hall is visiting the Capital City this week and we desire to welcome him with the hope that his visit will be mutually beneficial in fostering better understanding between the people of the United States and our good friends in Jamaica; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate; and be it further

Resolved, That a copy of this Resolution be presented to Mr. Hall with the best wishes of the Texas Senate.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented Mr. Hall to the Members of the Senate.

#### Senate Concurrent Resolution 112

Senator Spears offered the following resolution:

S. C. R. No. 112, Memorializing Congress relative to legislation pending forbidding sale of firearms through the mail.

Whereas, There is now before the Senate of the United States legislation introduced by Senator Dodd of Connecticut that would have the effect of forbidding the sale of firearms through the United States mails, except between licensed importers, manufacturers and dealers; and

Whereas, This legislation would abridge the ancient democratic right to bear arms, this right being guaranteed by the Second Amendment to the Constitution of the United States and by Article I, Section 23 of the Constitution of the State of Texas; and

Whereas, Even those permitted by this legislation to purchase firearms through the mails are to be regulated by the Secretary of the Treasury, a provision that may foreshadow stringent controls over or even prohibition of their businesses; and

Whereas, This legislation would penalize only the law-abiding citizen, leaving the underworld free in its pernicious activities without fear of a protected citizenry and so increase the burdens of law-enforcement officials and the ever-rising incidence of crime; and

Whereas, The citizens of this State would be most especially penalized by this legislation because of their love of hunting, target-shooting and other outdoor sports and because of the great importance to the economy of this State of the large tourist income derived from these sports; and

Whereas, Legislation is now pending before this Legislature that would regulate the use of firearms, such legislation is in force or under consideration in many other states, and such state regulation is preferable to federal control, because of the great diversity of custom and sport throughout the Nation; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That it memorialize the members of the United States Congress from the State of Texas to oppose the legislation introduced by Senator Dodd of Connecticut to forbid sale of firearms through the mails; and be it further

Resolved, That copies of this resolution be sent to the representatives of the people of this State in the Congress of the United States.

The resolution was read.

On motion of Senator Spears and by unanimous consent the resolution was considered immediately and was adopted.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am instructed by the House to inform the Senate that the House has passed the following:

S. B. No. 395, A bill to be entitled "An Act to amend Chapter 28 of the Acts of the First Called Session of the Forty-second Legislature by amending Section 8aa to provide that operators of crude oil gathering systems by pipe line or truck who purchase crude oil shall be common purchasers thereof and purchase without discrimination; adding Section 8aaa to authorize regulation by the Commission of gathering systems for crude petroleum by pipe line or truck and to prohibit purchase of crude petroleum by persons operating such systems unless they are common purchasers and subject to Commission regulation; amending Section 11d to

authorize the Commission to compel common purchasers to ratably purchase to prevent discrimination and to purchase the allowable production of any producer discriminated against and to authorize show cause orders by the Commission in such instances; providing severability; providing that this action shall be cumulative of all other laws now in force; and declaring an emergency."

S. B. No. 397, A bill to be entitled "An Act amending Paragraph 3 of Section 5, Chapter 3, Page 465, Acts 46th Legislature, 1939 (codified as Section 3 of Article 5421C-3, Vernon's Texas Civil Statutes) to remove the Governor from the School Land Board and substituting one citizen of the state appointed by the Governor with the advice and consent of the Senate, who shall serve for a term of two (2) years; repealing Section 5 of Chapter 442, Acts, 58th Legislature, 1963; and declaring an emergency."

(With amendment.)

H. B. No. 225, A bill to be entitled "An Act regulating withdrawal of underground water for use in another state by drilling a well in Texas; requiring a permit; containing a severability clause and declaring an emergency."

H. B. No. 267, A bill to be entitled "An Act relating to the power and duty to plug abandoned oil and gas wells; amending Article 6005, Revised Civil Statutes of Texas, 1926; repealing Section 9, Chapter 245, General Laws, Acts of the 44th Legislature, Regular Session, 1935; and declaring an emergency."

H. B. No. 322, A bill to be entitled "An Act amending Article 402, Code of Criminal Procedure of Texas, 1925, relating to allegation of ownership of property in an indictment, so as to delete that portion which provides that the ownership of the separate property of a married woman may be alleged to be in her, or in her husband; and declaring an emergency."

H. B. No. 398, A bill to be entitled "An Act amending Article 2226, Revised Civil Statutes of Texas, 1925, as amended, to allow recovery of attorney's fees in trespass to try title actions, actions for conversion of personal property, and actions to establish title to real or personal property; and declaring an emergency."

H. B. No. 607, A bill to be entitled "An Act amending Section 1, Chapter 125, Acts of the 52nd Legislature, 1951, as amended, relating to the regulatory authority of the Parks and Wildlife Commission in certain counties, to add Panola County to the list of counties regulated; and declaring an emergency."

H. B. No. 687, A bill to be entitled "An Act amending Article 1551, Texas Penal Code, 1925, as amended, to prohibit fraudulent departure from a mobile home park; and declaring an emergency."

H. B. No. 704, A bill to be entitled "An Act creating the Texas Commission on State and Local Tax Policy; providing for appointment and terms of members of the Commission; providing the powers and duties of the Commission; providing for studies and reports to be made by the Commission; providing a severability clause; and declaring an emergency."

H. B. No. 742, A bill to be entitled "An Act to authorize all Independent School Districts, whether created under special or general laws, in all counties having a population of 1,200,000 or more, according to the last preceding Federal Census, to provide for workmen's compensation insurance, and providing that all of the provisions of Article 8309e, Vernon's Annotated Civil Statutes, shall apply and extend to all such independent school districts; further providing that the words 'City' or 'Cities' used in Article 8309e shall include all such Independent School Districts; and declaring an emergency."

H. B. No. 760, A bill to be entitled "An Act relating to the jurisdiction of the County Court at Law of Smith County; amending Section 2, Chapter 232, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 781, A bill to be entitled "An Act removing the requirement that a church vesting management of its affairs in its members provide for a board of directors in its articles of incorporation; amending Section A, Article 3.02, Texas Non-Profit Corporation Act; and declaring an emergency."

H. B. No. 793, A bill to be entitled "An Act amending Subsection (a) of Section 177 of the Texas Probate Code, relating to distribution of powers among personal representa-

tives and a surviving spouse who qualifies as community administrator, so as to eliminate the provision which entitles the executor of the estate of the deceased spouse to administer the community property which was under the management of the deceased spouse, to the exclusion of the community administrator; and declaring an emergency."

H. B. No. 811, A bill to be entitled "An Act permitting certain counties to establish an office of Public Defender; providing qualifications; providing for appointment or election, setting forth duties; providing for time of election, term of office, salary and expenses; providing for secretarial and investigative help; providing for records and reports; making the Act cumulative; providing for severability; and declaring an emergency."

H. B. No. 907, A bill to be entitled "An Act authorizing the Parks and Wildlife Commission to regulate the taking of any species of crabs from the coastal waters of this State and to regulate the sale, transportation, possession and other handling thereof; prescribing procedures; providing for enforcement; providing a penalty for violation of such rules and regulations; providing for severability; repealing all laws in conflict; and declaring an emergency."

H. B. No. 925, A bill to be entitled "An Act vesting authority in the Central Education Agency to combine average daily attendance of a school district on certain request, for purposes of determining professional units allotment under the provisions of the Foundation School Program Act; providing an effective date for this Act; and declaring an emergency."

H. B. No. 992, A bill to be entitled "An Act relating to a creditor's remedy against a person who has a dormant deposit or inactive account which is advertised in accordance with Article 3272b, Revised Civil Statutes of Texas, 1925, as added; and declaring an emergency."

H. B. No. 1053, A bill to be entitled "An Act amending Section 1, Chapter 20, Acts of the 53rd Legislature, 1st Called Session, 1953, to change the open season on deer in La Salle County; and declaring an emergency."

H. B. No. 1057, A bill to be entitled "An Act relating to fire protection in

unincorporated areas of counties; amending Section 1, Chapter 235, Acts of the 52nd Legislature, 1951; and declaring an emergency."

H. B. No. 1083, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article XVI, Constitution of the State of Texas, to be known as 'Sweetwater Lake, Municipal Utility District of Galveston County, Texas'; prescribing its rights, powers, privileges, and duties; providing the district shall bear the sole expense of the relocation of certain facilities under the provisions of this Act; providing for its governing body; containing provisions relating to addition of land; providing that its bonds are legal and authorized investments; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 1105, A bill to be entitled "An Act repealing Chapter 284, Acts of the 54th Legislature, 1955, relating to the taking of deer and wild turkey in Lavaca County; and declaring an emergency."

H. B. No. 1110, A bill to be entitled "An Act authorizing counties of this State to contract with the United States Government or its agencies for the joint construction or improvement of roads, bridges, and other county improvements and for the maintenance of the same, and to pay the county's portion of such expense out of available county funds; providing this Act shall apply only to counties having a population in excess of 240,000 inhabitants and less than 310,000 inhabitants according to the latest preceding or any future federal census; and declaring an emergency."

H. B. No. 1120, A bill to be entitled "An Act relating to an additional class of counties that are to use jury wheels in selecting jurors; amending Article 2094, Revised Civil Statutes of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 1128, A bill to be entitled "An Act relating to the powers and duties of the Board of Directors of the Brazos County Water Control and Improvement District, No. 1, Big Creek; amending Section 6, Chapter 10, Acts of the 56th Legislature, 1st Called Session, 1959; and declaring an emergency."

H. B. No. 1125, A bill to be entitled "An Act creating and establishing

conservation and reclamation district under Article 16, Section 59 of the Constitution of Texas, to be known as 'Clear Creek Basin Authority'; defining the boundaries; determining and finding benefits to the land and other property within the Authority; finding that the boundaries of the Authority form a closure; conferring rights, powers, privileges, authorities and functions upon the Authority; providing that it shall not be necessary for the Authority to call a confirmation election or a hearing on the exclusion of lands; providing that the Authority shall not have the power to impose, levy, assess, or collect any taxes; conferring on the Authority the right, power and authority to plan, acquire and accomplish sanitary sewer systems and other facilities necessary or helpful in the processing of domestic, industrial or communal wastes, and providing for the issuance of bonds; providing for a Board of Directors and Advisory Board; providing for the use of public roadways, streets, alleys, and public easements; providing that the Authority shall bear the expense of relocation of certain properties and facilities; providing for the power to contract with the United States of America, the State of Texas and others, and making provision for such contracts; providing for the power to borrow money; providing for the appointment of a depository; providing for a system of accounts and an audit thereof; finding that the Authority will be carrying out an essential public function; investing the Authority with the powers of the State of Texas and providing for cooperation with other bodies; providing that the Municipal Annexation Act is not applicable to the creation of the Authority; finding that the requirements of Article 16, Section 59 of the Constitution have been accomplished; providing that the enactment of this Act is essential and necessary in the preservation and conservation of natural resources; providing a severability clause; and declaring an emergency."

H. B. No. 1134, A bill to be entitled "An Act relating to hunting quail in Angelina County; and declaring an emergency."

H. B. No. 1145, A bill to be entitled "An Act relating to hunting squirrels in Cass County; amending Section 1a, Chapter 473, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

H. B. No. 1152, A bill to be entitled "An Act relating to the compensation of the official shorthand reporter for the 38th Judicial District of Texas, or any judicial district which includes the counties of Real, Medina, Uvalde, and Zavala; and declaring an emergency."

H. B. No. 1155, A bill to be entitled "An Act amending Section 4 of Senate Bill No. 506, passed at the Regular Session of the 59th Legislature, with reference to the terms of office of the Board of Directors of Palo Pinto County Hospital District; and declaring an emergency."

H. B. No. 1158, A bill to be entitled "An Act creating a Court of Domestic Relations in and for Midland County, Texas; providing for its jurisdiction, terms, personnel, administration, and practice; and declaring an emergency."

H. B. No. 1170, A bill to be entitled "An Act excepting certain prepared flour and meal from the standard measures and labeling requirements; amending Section 4, Chapter 385, Acts of the 48th Legislature, 1943; and declaring an emergency."

H. B. No. 532, A bill to be entitled "An Act amending Article 12.13, Title 122A, Taxation-General, Revised Civil Statutes of Texas, 1925, relating to the state's prior lien on corporate property to secure payment of franchise taxes and penalties; and declaring an emergency."

H. B. No. 588, A bill to be entitled "An Act amending Chapter 6, Acts of the 57th Legislature, 3rd Called Session, 1962, as amended, by adding a Section 1a changing the name of the Court of Domestic Relations in and for Tarrant County, Texas, and by amending Section 11 of the Act to provide for the appointment of court reporters by the juvenile board; and declaring an emergency."

H. B. No. 754, A bill to be entitled "An Act to amend Article 1983, Revised Civil Statutes of Texas, 1925, so as to permit a married woman to sue alone for the recovery of her separate property or of the special community property under conditions herein specified; to repeal Article 1984, Revised Civil Statutes of Texas, 1925; and to amend Article 1985, Revised Civil Statutes of Texas, 1925, so as to provide that the wife may be sued alone or jointly with her husband in all suits for debts or torts

of or demands against the wife, but that no personal judgment be rendered against the husband, unless he is also liable, and that no judgment rendered in a suit against the wife alone shall be enforceable against community property other than the special community property; and declaring an emergency."

H. B. No. 949, A bill to be entitled "An Act amending Subdivision (e), Section 1, Chapter 82, Acts of the 57th Legislature, Regular Session, 1961, defining certain terms; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

#### Senate Bill 453 with House Amendments

Senator Parkhouse called S. B. No. 453 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Committee Amendment No. 1

Amend Senate Bill No. 453 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. That Part 5 of the Texas Business Corporation Act, H. B. No. 16, Acts of 1955, Fifty-fourth Legislature, ch. 64, p. 239, be amended by adding thereto a new Article 5.14 which shall read as follows:

"Article 5.14. In any action instituted or maintained in the right of any domestic or foreign corporation by the holder or holders of shares, or of voting trust certificates representing shares of such corporation having a total par value or stated capital value of less than two per cent of the aggregate par value or stated capital value of all the outstanding shares of stock of every class of such a corporation where the aggregate par value or stated capital value of all of such corporations' stock of every class does not exceed \$250,000 dollars, or in such an action instituted by the holder or holders of shares, or of voting trust certificates representing shares of such corporation having a total par value or stated capital value of less than five per cent of the aggregate par value or stated capital value of all the outstanding shares of stock of every class

of such a corporation where the aggregate par value or stated capital value of all such corporations stock of every class exceeds 250,000 dollars, unless the shares or voting trust certificates held by such holder or holders have a market value in excess of \$50,000, the corporation in whose right such action is brought shall be entitled, at any state of the proceeding before final judgment, to require the complainant or complainants to give security for the reasonable expenses, including counsel fees which may be incurred by it in connection with such action and by the other parties defendant in connection therewith for which it may become subject pursuant to law, its certificate of incorporation, its by-laws or under equitable principles, to which the corporation shall have recourse in such amount as the court having jurisdiction shall determine upon the termination of such action. The amount of such security may thereafter from time to time, be increased or decreased in the discretion of the court having jurisdiction of such action upon showing the security provided has or may become inadequate or is excessive. Provided, however, this Act shall not affect, modify, or in any way apply to the rights of a person making an affidavit of inability to give security for costs under Rule 145 of Texas Rules of Civil Procedure."

Section 2. That Part 5 of the Texas Business Corporation Act, H. B. No. 16, Acts of 1955, Fifty-fourth Legislature, ch. 64, p. 239, be amended by re-enacting and renumbering the Old Article 5.14 so as to hereafter be Article 5.15 and to read as follows:

"Art. 5.15. Nothing contained in Part Five of this Act shall ever be construed as affecting, nullifying or repealing the Anti-trust laws or as abridging any right or rights of a dissenting stockholder under existing laws."

Section 3. Severability. If any of the provisions of this Act is held invalid for any reason, such invalidity shall not affect the other provisions of this Act which can be given effect without the invalid provision, and the provisions of this Act are declared severable.

Section 4. Emergency. The fact that present provisions of the Texas Business Corporation Act do not require a security deposit as a requisite for suit instituted in the right of a corporation by a shareholder creates an

emergency and an imperative public necessity requiring the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and such Rule is suspended; and this Act shall take effect and be in force from and after passage, and it is so enacted.

#### Amendment No. 2

Amend S. B. 453 by inserting on line 31 after the figures 250,000 dollars the following language:

"unless the shares or voting trust certificates held by such holder or holders have a market value in excess of \$25,000."

The House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Bill 314 with House Amendments

Senator Colson called S. B. No. 314 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the following amendments before the Senate:

#### Committee Amendment No. 1

Amend Senate Bill No. 314 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. The following sums of money are hereby appropriated out of the General Revenue Fund for payment of itemized claims and judgments, plus interest, if any, against the State of Texas as follows:

To pay Dolph Briscoe, Jr., Uvalde, Texas for travel expense due under Texas Election Code, Article 11.06	\$ 54.00
To pay Ralph Brock, Great Plains Building, Lubbock, Texas for travel expense due under Texas Election Code, Article 11.06	76.00
To pay Vernon L. Decker, 1613 First National Bldg., El Paso, Texas for travel expense due under Texas Election Code, Article 11.06	140.40
To pay A. F. Edwards, 2160 Avenue H., Wichita Falls, Texas for travel expense due under Texas Election Code, Article 11.06	69.00
To pay Jerome W. Johnson, P. O. Box 550, Amarillo, Texas for travel expense due under Texas Election Code, Article 11.06	146.80
To pay Mrs. J. Connally Kelly, Pharr, Texas, for travel expense due under Texas Election Code, Article 11.06	90.00
To pay Dee J. Kelly, c/o Moncrief Oil Industries, 9th and Commerce, Fort Worth, Texas for travel expense due under Texas Election Code, Article 11.06	37.20
To pay E. George Luckey, St. Anthony Hotel, San Antonio, Texas for travel expense due under Texas Election Code, Article 11.06	22.60
To pay Edward R. McAdams, 3925 Franklin, Groves, Texas for travel expense due under Texas Election Code, Article 11.06	78.80
To pay C. C. McDonald, Oil and Gas Building, Wichita Falls, Texas for travel expense due under Texas Election Code, Article 11.06	63.80
To pay Cameron McElroy, Jr., P. O. Box 580, Marshall, Texas for travel expense due under Texas Election Code, Article 11.06	86.70
To pay Clarence C. Martens, 1317 Rose Drive, Alice, Texas, for travel expense due under Texas Election Code, Article 11.06	38.40
To pay Aubrey L. Moore, 401 Craig Street, Hillsboro, Texas for travel expense due under Texas Election Code, Article 11.06	44.47
To pay Richard W. Moore, 1403 Bliss, Cisco, Texas for travel expense due under Texas Election Code, Article 11.06	64.00
To pay W. M. Rodes, Box 67, Emory, Texas for travel expense due under Texas Election Code, Article 11.06	66.20
To pay J. F. Sandlin, Anahuac, Texas for travel expense due under Texas Election Code, Article 11.06	43.40
To pay E. P. South, 913 Fairbanks Street, Houston, Texas for travel expense due under Texas Election Code, Article 11.06	47.20



To pay Jerome Carlyle Thomas, 4510 DeLange Lane, Houston 18, Texas for travel expense due under Texas Election Code, Article 11.06	52.60
To pay Jack Welch, P. O. Box 354, Marlin, Texas for travel expense due under Texas Election Code, Article 11.06	32.90
To pay Joe B. Winkle, Pittsburg, Texas for travel expense due under Texas Election Code, Article 11.06	79.60
To pay Judge O'Neal Bacon, 1st Judicial District, Box 567, Newton, Texas for per diem under Senate Bill 349, 57th Legislature	150.00
To pay Judge John M. Barron, 8th Judicial District, Bryan, Texas for per diem under Senate Bill 349, 57th Legislature	275.00
To pay Judge W. R. Blalock, P. O. Box 548, Mission, Texas for per diem under Senate Bill 349, 57th Legislature	575.00
To pay Judge Jack Brookshire, 58th Judicial District, 205 County Court House, Beaumont, Texas for per diem under Senate Bill 349, 57th Legislature	425.00
To pay Judge Tom Davis, 46th Judicial District, Vernon, Texas for per diem under Senate Bill 349, 57th Legislature	100.00
To pay Otis T. Dunagan, Court of Civil Appeals, Tyler, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge Jas. K. Evetts, 27th Judicial District, Box 125, Belton, Texas for per diem under Senate Bill 349, 57th Legislature	200.00
To pay Judge Clarence Ferguson, 77th District Court, Box 270, Groesbeck, Texas for per diem under Senate Bill 349, 57th Legislature	50.00
To pay Judge J. Harris Gardner, 2418 Jarratt Avenue, Austin, Texas for per diem under Senate Bill 349, 57th Legislature	75.00
To pay Judge T. M. Gupton, 23rd District Court, Box 777, West Columbia, Texas for per diem under Senate Bill 349, 57th Legislature	325.00
To pay Judge Vic Hall, 54th Judicial District, McLennan County Court House, Waco, Texas for per diem under Senate Bill 349, 57th Legislature	150.00
To pay Judge Louis T. Holland, District Judge, Montague, Texas for per diem under Senate Bill 349, 57th Legislature	475.00
To pay Judge W. A. Hughes, Jr., 43rd District Court, Decatur, Texas for per diem under Senate Bill 349, 57th Legislature	700.00
To pay Judge Owen M. Lord, 2598 Hazel Street, Beaumont, Texas for per diem under Senate Bill 349, 57th Legislature	225.00
To pay Judge W. Sears McGee, 55th District Court, 310 Civil Courts Building, Houston, Texas for per diem under Senate Bill 349, 57th Legislature	275.00
To pay Judge John C. Patterson, 82nd Judicial District, Marlin, Texas for per diem under Senate Bill 349, 57th Legislature	125.00
To pay Judge Phil Peden, 157th District Court, Houston, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge L. D. Ratliff, 110th Judicial District, Spur, Texas for per diem under Senate Bill 349, 57th Legislature	175.00
To pay Judge Max M. Rogers, 12th District Court, P. O. Box 348, Huntsville, Texas for per diem under Senate Bill 349, 57th Legislature	275.00
To pay Judge Truett Smith, 106th Judicial District, P. O. Box 996, Tahoka, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge John Snell, Jr., 152nd District Court, Civil Courts Building, Houston, Texas for per diem under Senate Bill 349, 57th Legislature	125.00
To pay Judge J. H. Starley, 143rd Judicial District, P. O. Box 308, Pecos, Texas for per diem under Senate Bill 349, 57th Legislature	1,245.34
To pay Judge Thomas J. Stovall, Jr., 129th District Court, Houston, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge Leslie D. Williams, 21st District Court, Bren-	

ham, Texas for per diem under Senate Bill 349, 57th Legislature	125.00
To pay Judge R. W. Williford, 87th District Court, Fairfield, Texas for per diem under Senate Bill 349, 57th Legislature.	200.00
To pay Judge Truman E. Roberts, 52nd Judicial District Hamilton, Texas for per diem under Senate Bill 349, 57th Legislature	100.00
To pay Judge Sam Johnson, 66th Judicial District, Hillsboro, Texas for per diem under Senate Bill 349, 57th Legislature	375.00
To pay Mrs. Jean E. Corbett, 416 Sunset Blvd., Lufkin, Texas, Court Reporters fee for preparation of transcript on paupers oath, Cause No. 6639.	161.46
To pay Mrs. Floyce Miller, Official Court Reporter, McLennan County Court House, Waco, Texas, Court Reporters fee for preparation of transcript on paupers oath, Cause No. 15276	112.50
To pay the Bering Company Tank Division, P. O. Box 419, Tyler, Texas for Dedicated Reserve Gas Tax declared unconstitutional	494.67
To pay Bolin Oil Company, 1120 Oil & Gas Building, Wichita Falls, Texas for Dedicated Reserve Gas Tax declared unconstitutional	1,312.83
To pay D. H. Bolin, 1120 Oil & Gas Building, Wichita Falls, Texas for Dedicated Reserve Gas Tax declared unconstitutional	5,177.07
To pay Calvert Exploration Co., formerly Blackwell Oil & Gas Co., 418 National Bank of Tulsa Building, Tulsa, Oklahoma for Dedicated Reserve Gas Tax declared unconstitutional	1,077.19
To pay Colton and Colton, Milam Building, San Antonio, Texas for Dedicated Reserve Gas Tax declared unconstitutional	696.92
To pay Cosden Petroleum Corporation, Kirby Building, Dallas, Texas for Dedicated Reserve Gas Tax declared unconstitutional	728.20
To pay W. H. Hammon Estate, 916 Ninth Street, Suite 112, Wichita Falls, Texas for Dedicated Reserve Gas Tax declared unconstitutional	566.00
To pay Liberty Gas Transmission Corporation, Neyland Building, 109 N. Chaparral, Corpus Christi, Texas for Dedicated Reserve Gas Tax declared unconstitutional	15,311.18
To pay Northland Oil Corporation, c/o D. H. Bolin, 1120 Oil & Gas Building, Wichita Falls, Texas for Dedicated Reserve Gas Tax declared unconstitutional	22.11
To pay John L. Swanner, 2315 Bullington Street, Wichita Falls, Texas for Dedicated Reserve Gas Tax declared unconstitutional	1,042.24
To pay Tarpon Management Co., P. O. Drawer 2507, Corpus Christi, Texas for Dedicated Reserve Gas Tax declared unconstitutional	79.87
To pay Judge Howard P. Green, Court of Civil Appeals, Box 556, Corpus Christi, Texas for travel expense under the provisions of Article 1738, R.C.S. as amended in 1963	82.11
To pay Judge Frank G. McDonald, 10th Judicial District, P. O. Box 1606, Waco, Texas for travel expenses incurred while holding court in Fort Worth, Texas	13.85
To pay Judge Paul W. Nye, Court of Civil Appeals, Box 2390, Corpus Christi, Texas for travel expense under the provisions of Article 1738, R.C.S. as amended in 1963	82.38
To pay David A. Burrows, c/o Gainesville School for Girls, Gainesville, Texas for error in bookkeeping	92.51
To pay William H. Bell, c/o Dillard University, Office of the Registrar, New Orleans, Louisiana for Warrant Number 438321 on which the Statute of Limitations prohibits payment	221.52
To pay Hobbs Trailers, P. O. Box 35127, Dallas, Texas for Sales Tax on trailer not delivered	164.68
To pay Judge Otis T. Dunagan, 12th Court of Civil Appeals, County Courthouse, Tyler, Texas for travel expense incurred while holding court in Houston, Texas	115.66

To pay Judge James H. Moore, 12th Court of Civil Appeals, County Courthouse, Tyler, Texas for travel expense incurred while holding court in Houston, Texas	105.78
To pay Judge Grover Sellers, 12th Court of Civil Appeals, County Courthouse, Tyler, Texas for travel expense incurred while holding court in Houston, Texas	116.50
To pay Neal K. Jones, 675 Highland Drive, Beaumont, Texas for tuberculin reactor milch cow	25.00
To pay Western Natural Gas Company, c/o Liddell, Austin, Dawson and Sapp, Attorneys at Law, 510 Gulf Building, Houston, Texas for production Tax on Gas	11,969.79
To pay B. & P. Drilling Contractors, P. O. Box 456, Palacios, Texas for overpayment of franchise tax	323.44
To pay O. A. Beauchamp, former president of the Three B Investment Corporation, c/o Minton & Payne, Attorneys, Hemp-hill, Texas for overpayment of franchise tax	106.69
To pay Housing Development Company, 4606 Greenville Avenue, Dallas 6, Texas for overpayment of franchise tax	11,731.96
To pay Kaywood Corporation, c/o A. B. Clark, Caruth Building Service, 5803 Greenville Avenue, Dallas, Texas for overpay-ment of franchise tax	640.74
To pay People's State Bank, Rocksprings, Texas for overpay-ment of franchise tax	514.24
To pay J. B. Reese Lumber Company, c/o Earl M. McClung, Post Office Box 72, Kerens, Texas for overpayment of fran-chise tax	76.63
To pay Western Natural Gas Company, c/o Liddell, Austin, Dawson & Sapp, Attorneys at Law, 510 Gulf Building, Hous-ton, Texas 77002 for overpayment of franchise tax	7,141.60
To pay The William Powell Company, c/o Robert L. Seaver, Taft, Stettinius & Hollister, Dixie Terminal Building, Cincin-nati 2, Ohio for overpayment of franchise tax	3,510.86
To pay Southwestern Mill Distributors, Inc., c/o Robert E. Good-man, Attorney at Law, Suite 13A, El Paso National Bank Building, El Paso, Texas 79901 for overpayment of franchise tax	311.99
To pay Ralph F. Reuss, 2039 Nina Lee Lane, Houston, Texas for refund of ad valorem tax due to error in assessed valuation of residence	170.84
To pay Estate of William Healey, c/o Reed, Smith, Shaw and McClay, Attorneys at Law, Pittsburgh, Pennsylvania, for re-fund of Inheritance Tax	30,457.70
To pay B & A Pipeline Company, c/o Waldrop & Shaw, Attor-neys at Law, Henderson, Texas for Judgment—Cause No. 107,038, 126th Judicial District Court, Travis County, Texas	5,470.75
To pay Lee S. Henry, Criminal Courts Building, Fort Worth, Texas Court Reporters fee for preparation of Statement of Facts in a felony case on appeal where the defendant makes affidavit that he is unable to pay for said transcript—Case No. 69270	287.43
To pay Judge Ross E. Doughty, 38th Judicial District, Uvalde, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge Joseph C. Gladney, 4th Judicial District, Hen-derson, Texas for per diem under Senate Bill 349, 57th Leg-islature	175.00
To pay Judge Fidencio M. Guerra, 139th District Court, County Courthouse, Edinburg, Texas for per diem under Senate Bill 349, 57th Legislature	200.00
To pay Judge Sam B. Hall, Box 605, Marshall, Texas for per diem under Senate Bill 349, 57th Legislature	125.00
To pay Judge Jack Y. Hardee, 3rd Judicial District, 308 South Palestine, Athens, Texas for per diem under Senate Bill 349, 57th Legislature	350.00
To pay Judge Penn. J. Jackson, District Judge, Cleburne, Texas, for per diem under Senate Bill 349, 57th Legislature	400.00

To pay Judge Walter Loughridge, 37th Judicial District, Bexar County Courthouse, San Antonio, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge Paul A. Martineau, 28th District Court, Nueces County, Corpus Christi, Texas for per diem under Senate Bill 349, 57th Legislature	50.00
To pay Judge John F. May, 81st Judicial District, Karnes City, Texas for per diem under Senate Bill 349, 57th Legislature	125.00
To pay Judge John H. Miller, 36th Judicial District, Sinton, Texas for per diem under Senate Bill 349, 57th Legislature	175.00
To pay Judge A. R. Stout, 40th Judicial District, County Courthouse, Waxahachie, Texas for per diem under Senate Bill 349, 57th Legislature	100.00
To pay Judge John F. Sutton, District Judge, 2834 West Two-hig Street, San Angelo, Texas for per diem under Senate Bill 349, 57th Legislature	875.00
To pay Judge Arthur Tipps, 30th Judicial District, Wichita Falls, Texas for per diem under Senate Bill 349, 57th Legislature	225.00
To pay Judge W. C. Wallace, 20th Judicial District, Cameron, Texas for per diem under Senate Bill 349, 57th Legislature	250.00
To pay Jerry L. Zunker, 701 West Front Street, Orange, Texas for serving as Special District Judge in the 128th Judicial District Court, Orange, Texas	98.64
To pay Frank Gibson, 2412 Dartmouth, Wichita Falls, Texas for serving as Special District Judge for the 78th Judicial District Court, Wichita Falls, Texas	2,235.62
To pay Judge Sam B. Hall, 71st Judicial District, Box 605, Marshall, Texas for travel expense on exchange of benches	40.25
To pay Officers Salary Fund of Williamson County, c/o J. R. Owen, County Attorney, Georgetown, Texas for fees provided by Judgment—Article 7436, V.A.C.S.	7,500.00
To pay Shephard's Citations, Inc., 420 North Cascade Ave., Colorado Springs, Colorado for unpaid invoice for books purchased by Attorney General's Office.	78.75
To pay H. M. Harrington, Jr. 324 Bramlott Building, Longview, Texas for travel expense in response to subpoena to House General Investigating Committee in Dallas, Texas	13.68
To pay General Crude Oil Company, Box 2252, Houston, Texas for severance beneficiary tax	355.04
To pay Katie Petroleum Co., formerly Milson Petroleum Co., 210 Dallas Federal Savings Bldg., Dallas 25, Texas for severance beneficiary tax	226.49
To pay Kenwill Operating Company, 407 Mid-Continent Bldg., Tulsa, Oklahoma for severance beneficiary tax	13.22
To pay Paul F. Burris, Court Reporter, Court House, Fort Worth, Texas for preparation of statement of facts on a paupers oath	129.45
To pay Paul Cline, Court Reporter, 35th Judicial District Court, Brownwood, Texas for preparation of statement of facts on a paupers oath	271.80
To pay Lee S. Henry, Court Reporter, Criminal Courts Building, Fort Worth, Texas for preparation of statement of facts on a paupers oath	281.36
To pay Rayburn Mason, Court Reporter, 112th Judicial District, McCamey, Texas for preparation of statement of facts on a paupers oath	48.00
To pay Kenwill Operating Company, 407 Mid Continent Building, Tulsa, Oklahoma for dedicated reserve gas tax, declared unconstitutional	17.11
To pay Lewtex Oil & Gas Co., Inc., c/o Harrell & Thompson, First National Bank Building, Breckenridge, Texas for dedicated reserve gas tax declared unconstitutional	1,586.23
To pay McAlester Fuel Company and Winston Oil Company, Box	

783, McAlester, Oklahoma for dedicated reserve gas tax, declared unconstitutional	1,014.93
To pay American Bank Note Company, 70 Broad Street, New York 4, N. Y. for overpayment of franchise tax	4,078.78
To pay AMF Tuboscope, Inc. c/o Hutcheson, Taliaferro and Hutcheson, 2110 Tennessee Building, Houston, Texas for overpayment of franchise tax	4,401.38
To pay Aransas Pass Volunteer Fire Department, Inc., 338 South Arch Street, Aransas Pass, Texas for overpayment of franchise tax	70.09
To pay Autumn Trails Association, Box 151, Winnsboro, Texas for overpayment of franchise tax	51.10
To pay Citizens National Bank of Lubbock, Lubbock, Texas for overpayment of franchise tax paid for Ray Lee Corporation	240.00
To pay Del Rio Bank and Trust Co., 500 South Main, Del Rio, Texas for overpayment of franchise tax	1,589.47
To pay The First National Parking Co., First National Bank Building, Amarillo, Texas for overpayment of franchise tax	1,484.97
To pay Dr. Pepper Bottling Company of Vernon, 1516 Pease Street, Vernon, Texas for overpayment of franchise tax	368.49
To pay Frigid Food Express, Inc., 2828 South Laredo Street, San Antonio, Texas for overpayment of franchise tax	321.74
To pay Guardian Funeral Home, Inc., c/o Mrs. Ed Smith, Jr., 4252 Potomac, Dallas, Texas for overpayment of franchise tax	55.85
To pay Paul Hardeman, Inc., 10579 Dale Avenue, Stanton, California for overpayment of franchise tax	721.71
To pay Hughes Tool Company, 25th Floor Humble Building, Houston, Texas for overpayment of franchise tax	2,160.00
To pay Ideco Division of Dresser Industries, Inc., 31st Floor Republic National Bank Building, Dallas, Texas for overpayment of franchise tax	1,605.97
To pay the Inghland Corporation, 23 Boulevard de Montmorency, Paris 16e, France for overpayment of franchise tax	48.94
To pay J. M. T. Lumber Company, Inc., Box 1431, Borger, Texas for overpayment of franchise tax	57.00
To pay Kennedy-Griggs Buick Co., Belton, Texas for overpayment of franchise tax	67.21
To pay LaFrance Industries, Incorporated, W. W. Gregory, Comptroller, La France, South Carolina for overpayment of franchise tax	88.00
To pay Lease Funds, Incorporated, 1255 Boylston Street, Boston 15, Massachusetts for overpayment of franchise tax	1,791.74
To pay Leopold L. and Adelena G. Meyer Foundation, Box 35097, Houston, Texas for overpayment of franchise tax	104.73
To pay Meyerland Little League, 5310 Braesheather, Houston, Texas for overpayment of franchise tax	99.96
To pay McGraw-Hill Book Company, Inc., 330 West 42nd Street, New York, N. Y. for overpayment of franchise tax	450.00
To pay Oak Cliff Fellowship, Inc., 611½-613 East 10th Street, Dallas, Texas for overpayment of franchise tax	88.80
To pay Pan American Trade Development Corporation, c/o Oppheim, Appel and Dixon, Two Broadway, New York 4, New York for overpayment of franchise tax	512.00
To pay Reliance Clay Products Co., c/o Turner, Rodgers, Winn, Scurlock and Terry, Suite 2400 Republic National Bank Building, Dallas, Texas for overpayment of franchise tax	1,196.99
To pay Rice Hotel Company, Main at Texas, Box 53028, Houston, Texas for overpayment of franchise tax	687.49
To pay Stewart Trucking Company, c/o Eldon B. Fox, 3020 S. Haskell Avenue, Dallas 23, Texas for overpayment of franchise tax	77.00
To pay United Motels, Inc., c/o Johnson and King, Box 1331, Vernon, Texas for overpayment of franchise tax	1,792.97

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To pay United States Coffee and Tea Company, c/o Hunt Oil Co., 700 Mercantile Bank Bldg., Dallas, Texas for overpayment of franchise tax	591.24
To pay Wes-Tex Lumber Co., Inc., 1520 S. Cedar, P. O. Box 1431, Borger, Texas for overpayment of franchise tax	247.50
To pay Wilson State Bank, Wilson, Texas for overpayment of franchise tax	783.73
To pay International Data Systems, Inc., 2925 Merrell Road, Dallas, Texas for overpayment of franchise tax	1,168.08
To pay Universal Merchandising Corporation, 1947 W. Gray, Room 203, Houston, Texas for overpayment of franchise tax	649.00
To pay Westphalia Water Supply Corporation, Route 2, Lott, Texas for overpayment of franchise tax	314.75
To pay Worth Manufacturing Co., 4201 Azle Avenue, P. O. Box 4206, Fort Worth, Texas, for overpayment of franchise tax	1,055.98
To pay McCulloch County Industrial Foundation, Brady, Texas for overpayment of franchise tax	133.18
To pay Pharr Memorial Library, Box 550, Pharr, Texas for overpayment of franchise tax	50.00
To pay United Associates, Inc., c/o Harvey C. Hooser, Jr., 1600 Scurry, Big Spring, Texas for overpayment of franchise tax	167.68
To pay The Navasota Industrial Foundation, Inc., Navasota, Texas for overpayment of franchise tax	464.68
To pay Century Industries, Inc., 3604 Dartmouth, Dallas, Texas for overpayment of franchise tax	71.05
To pay Magnet Cove Barium Corp., for Vernon Mud Co., (liquidated) Box 6504, Houston, Texas for overpayment of franchise tax	816.66
To pay Columbus Club Ass'n. of Anderson, c/o R. A. Patour, Jr., Navasota, Texas for overpayment of franchise tax	124.09
To pay Gravel Realization Corporation, 1201 Main Street, Dallas, Texas for overpayment of franchise tax	208.25
To pay King Pitman & Co., c/o Neill Boldrick, Jr., Attorney at Law, 1540 Milam Building, San Antonio, Texas for overpayment of franchise tax	366.46
To pay Ann Lewis Shops of San Antonio, Inc., c/o Jubilee Shops, Inc., 370 West 35th Street, New York, N. Y. for overpayment of franchise tax	144.55
To pay Merchants Collection Service, 902 Littlefield Bldg., Austin, Texas for overpayment of franchise tax	30.56
To pay George Schmitt & Company, Inc., c/o Phipps, Smith & Alexander, Attorneys at Law, United States National Bank Building, Galveston, Texas for overpayment of franchise tax	2,108.53
To pay Liberator Drug Store Inc., 6706 Jacksboro Highway, Fort Worth, Texas for overpayment of franchise tax	66.75
To pay Aspenwood Mfg. Co., c/o Thomas J. Griffith, Attorney at Law, Suite 6C, Lubbock National Bank Building, Lubbock, Texas for overpayment of franchise tax	370.27
To pay Nettleton Shops, Inc. 313 E. Willow Street, Syracuse, New York 13203 for overpayment of franchise tax	1,437.23
To pay Northwest Kiwanis Club, c/o Elwood McKinney, Security State Bank, P. O. Box 10008, Fort Worth, Texas 76114 for overpayment of franchise tax	97.45
To pay Hubly and Co., Inc. P. O. Box 52427, Houston, Texas 77052 for overpayment of franchise tax	710.10
To pay Colwell, Wentworth & Associates, Inc., 111 Harvey Building, 2215 50th Street, Lubbock, Texas for overpayment of franchise tax	270.50
To pay Sara's of Houston, Inc., 4015 So. Braeswood, Houston 25, Texas for overpayment of franchise tax	684.16
To pay Industrial Enterprises, c/o Charles H. Sherman, Jr., Attorney at Law, San Jacinto Building, Main at Walker, Houston 2, Texas for overpayment of franchise tax	50.32

To pay Greenville Avenue State Bank, 1827 Greenville Avenue, Dallas, Texas for overpayment of franchise tax	1,181.25
To pay Tres Palacios Oil Company, 903 Rosalie Avenue, Houston, Texas 77006 for overpayment of franchise tax	240.06
To pay Subsurface Reserve Corporation, c/o William E. Tuttle, C.P.A., Petroleum Center, San Antonio, Texas for overpayment of franchise tax	2,421.71
To pay Hidalgo County Bank & Trust Company, 301 S. Texas Avenue, Mercedes, Texas for overpayment of franchise tax	885.48
To pay Emhart Manufacturing Company, c/o Emhart Corporation, Box 1620, Hartford, Connecticut for overpayment of franchise tax	2,191.10
To pay Ciba Corporation, Summit, New Jersey, for overpayment of franchise tax	3,695.44
To pay Southwest Color Printing Corp., Box 1029, Lufkin, Texas for overpayment of franchise tax	4,309.30
To pay General Crude Oil Co., Box 2252, Houston, Texas for overpayment of franchise tax	5,055.75
To pay Universal Match Corporation, Box 5841, St. Louis 35, Missouri for overpayment of franchise tax	8,004.79
To pay Southwestern Hydrocarbon Pipeline Company, 1400 Mercantile Bank Building, Dallas, Texas for overpayment of franchise tax	10,566.74
To pay Texas Instruments Incorporated, 13500 North Central Expressway, Dallas, Texas for overpayment of franchise tax	182,501.28
To pay Ryder Automobile Leasing Co., 2701 Bayshore Drive, P. O. Box 33-816, Miami, Florida for overpayment of franchise tax	95.94
To pay The United States National Bank, Galveston, Texas for overpayment of franchise tax	162.25
To pay Tejas Productions, Inc., Box 806, Grand Prairie, Texas for overpayment of franchise tax	965.46
To pay Pecos Valley Materials Corporation, 1000 Fidelity Union Tower, Dallas, Texas for overpayment of franchise tax	3,901.56
To pay Shand and Jurs Co., c/o Thelen, Marrin, Johnson and Bridges, Attorneys at Law, 111 Sutter Street, San Francisco, California 94104 for overpayment of franchise tax	2,224.40
To pay Mrs. E. B. Kimball, Route 11, Box 326, Houston, Texas for duplicate payment of Cigarette Tax	6.00
To pay Marnie J. McBee, 308 Avenue E., Del Rio, Texas for overpayment of Cigarette Tax	5.00
To pay Warsaw Corner, c/o Buford C. Carpenter, Route 2, Kaufman, Texas for duplicate payment of Cigarette Tax	5.00
To pay Remigio Torres, 19½ North Eucalyptus, El Paso, Texas for refund of Retail Cigarette Dealers License and Store Tax License.	10.92
To pay Richard M. Albert, c/o S. H. Tannebaum, Praetorian Building, Dallas, Texas for refund of Store Tax License	487.00
To pay C. B. Preston Estate, c/o Dean M. Gandy, Attorney At Law, 1000 Merchantile-Continental Building, Dallas, Texas for unused Cigarette Stamps	303.42
To pay Frederick M. Carlson, dba Skiles Employment Service, 13640 Sprucewood, Dallas, Texas for refund of Employment Agency License not used	150.00
To pay Continental Casualty Company, 310 South Michigan Avenue, Chicago, Illinois for refund of Retailers Excise Tax Bond	500.00
To pay Anchor Casualty Co., c/o Funderburk, Murray & Ramsey, Attorneys At Law, 3520 Montrose Blvd., Houston, Texas for refund of Franchise Tax Bond	500.00
To pay Alfred Ellison, 1612 Watchill Road, Austin, Texas for payment of unpaid invoices for kodak equipment delivered to State Health Department	83.10
To pay San Antonio State Tuberculosis Hospital, Box 23340,	

Highland Hills Station, San Antonio, Texas for unpaid voucher due Edward Weck & Co. for supplies	46.40
To pay Bexar County, c/o C. R. Sanderson, County Auditor, San Antonio, Texas for State Warrant No. 603473, dated May 2, 1960, issued to Morris Kallison, on which the Statute of Limitations prohibits payment	100.00
To pay Perry Muse, Route 1, Chireno, Texas for State Warrant No. 268003, dated January 31, 1961, on which the Statute of Limitations prohibits payment	10.19
To pay Andrews Gas Co., Inc., c/o Criswell and Muns, 208 N. E. First Street, Andrews, Texas for refund of Gross Receipts Tax	768.27
To pay United Gas Pipe Line Company, c/o Vinson, Elkins, Weems and Searls, Attorneys At Law, First National Bank Building, Houston, Texas for Judgment No. 135,661, District Court of Travis County, Texas	88,450.69
To pay Southern Gas Company, c/o J. T. Harris, Attorney At Law, Box 2189, Longview, Texas for Judgment No. 107,152, District Court, Travis County, Texas	13,116.11
To pay J. Lee Dittert, Judge—155th District Court, Bellville, Texas for travel expense while on exchange of benches	562.68
To pay Judge James M. Bolding, First National Bank Building, Athens, Texas for serving as Special District Judge of Henderson County for four days in 1963	131.50
To pay Judge Magus F. Smith, 93rd District Court, Hidalgo County, Edinburg, Texas for per diem under Senate Bill 349, 57th Legislature	250.00
To pay Judge Stuart E. Nunn, County Building, 4th and Texas Avenue, Texarkana, Texas for per diem under Senate Bill 349, 57th Legislature	200.00
To pay Judge E. H. Griffin, Graham, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge Charles L. Reynolds, 100th Judicial District, Box 125, Childress, Texas for per diem under Senate Bill 349, 57th Legislature	25.00
To pay Judge D. B. Wood, Georgetown, Texas for per diem under Senate Bill 349, 57th Legislature	250.00
To pay Judge Frank H. Crain, 135th Judicial District, Victoria County Courthouse, Victoria County, Texas for per diem under Senate Bill 349, 57th Legislature	150.00
To pay National Bank of Commerce of Dallas, Dallas, Texas for refund of Sales Tax on Motor Vehicle	78.53
To pay Comisionistas de Chihuahua, S. A., Apartado Postal No. 215, Chihuahua, Chih., Mexico for refund of Sales Tax on tank transport semi-trailer	328.87
To pay Wilde Chevrolet, P. O. Drawer 340, Muenster, Texas for refund of Sales Tax paid on Motor Vehicle	41.49
To pay Mrs. Mae Barnes, Tax Assessor-Collector, Winkler County, Kermit, Texas for refund of Sales and Use Tax paid from personal funds	183.35
To pay Shepard-Richardson Rambler, 1701 Milam at Pease in Rambler Square, Houston, Texas for refund of Sales Tax paid on Motor Vehicle	33.29
To pay Chrysler Corporation, 3530 Northaven Road, Dallas, Texas for refund of Sales Tax paid on Motor Vehicle	68.48
To pay Paul Scherer, 311 N. Kentucky Street, McKinney, Texas, for refund of Sales Tax paid on Motor Vehicle	24.12
To pay Antonio Santos, 3523 Bonita Vista, Mesquite, Texas for Sales Tax paid on Motor Vehicle	32.81
To pay Jimmie L. Richardson, Box 102, Palestine, Texas for refund of Sales Tax paid on Motor Vehicle	6.46
To pay Arthur W. Richie, Jr., 106 Vaughn, San Antonio, Texas, for refund of overpayment of Sales Tax on Motor Vehicle	22.45
To pay William N. Perry, Bureau of Naval Weapons, Branch Rep., Box 1243, Brownsville, Texas for refund of Sales Tax paid on Motor Vehicle	9.65



To pay Captain Allan R. LaQuey, 1414 Doolittle, Sherman, Texas for refund of Use Tax paid on Motor Vehicle	14.47
To pay Browning Neal, Box 442, Honey Grove, Texas for refund of Sales Tax paid on Motor Vehicle	20.65
To pay Metropolitan Motors, 1700 San Bernardo Avenue, Laredo, Texas for refund of Sales Tax on Motor Vehicle	22.19
To pay Hub Motor Company, 901 Avenue H, Lubbock, Texas for refund of Sales Tax paid on Motor Vehicle	70.62
To pay Edward Timlin, McAllen, Texas for refund of Transfer Tax on Motor Vehicle	12.54
To pay Jerome Sheppard, Box 484, Spearman, Texas for refund of Sales Tax on Motor Vehicle	16.79
To pay Gane Brothers and Lane, Inc., 1326 Circle, Dallas, Texas for refund of Sales Tax on Motor Vehicle	39.04
To pay Kleberg First National Bank, P. O. Box 911, Kingsville, Texas for refund of Sales Tax paid on Motor Vehicle	67.55
To pay George R. Dunn, Jr., Wheelock, Texas for refund of Sales Tax paid on Motor Vehicle	57.90
To pay Ford Motor Company—Aeronutronic Div., Ford Road, Newport Beach, California for refund of Sales Tax paid on Motor Vehicle	46.06
To pay Alva L. Carter, 501 North 35th Street, Waco, Texas for refund of Sales Tax on Motor Vehicle	9.65
To pay Captain Arthur N. Foster, 5712-1 Friedman St., Fort Hood, Texas for refund of Use Tax on Motor Vehicle	14.47
To pay Edwin Becker, 11 Friar Way, Wayne, New Jersey, for refund of Use Tax on Motor Vehicle	14.47
To pay Victoria Bank & Trust Co., Box 1698, Victoria, Texas for refund of Sales Tax on Motor Vehicle	48.25
To pay The Algas Company, 450 Esperson Building, Houston, Texas for Dedicated Reserve Gas Tax declared unconstitutional	3,816.90
To pay J. D. Wrather, Jr., c/o J. T. Vaughan, Jr., Attorney At Law, 2111 N. Akard Street, Dallas, Texas for Dedicated Reserve Gas Tax declared unconstitutional	3,535.88
To pay Security Savings and Loan Association, Box 397, Dickinson, Texas for duplicate payment of ad valorem tax	34.11
To pay A. C. Cairns, 125 South Second Street, Memphis 3, Tennessee for refund of premium tax	18.42
To pay Work Clothes Rental Service Co., Box 91, Fort Worth, Texas for refund of Store Tax Licenses	1,152.35
To pay Morgan Motors, Box 149, Ballinger, Texas for refund of Franchise Tax	151.25
To pay Bruce Brown Chev.-Olds Co., Ennis, Texas for refund of Sales Tax on Motor Vehicle	55.39
To pay Eddie Parker, 1200 Trade Mart, Dallas, Texas for ad valorem tax paid in error	11.34
To pay L. C. Alexander, Box 893, Waco, Texas for ad valorem tax on homestead	12.35
To pay Robert W. Jackson, 4658 Timberwood Drive, Dallas, Texas for ad valorem tax paid in error	10.74
To pay Harold Bloomquist, 4119 Bluebonnet Lane, Houston, Texas for ad valorem tax paid in error	23.95
To pay Mrs. Harrison Watson and the Estate of Harrison Watson, Ralls, Texas for ad valorem tax paid due to excess assessment	106.88
To pay W. J. Ward, Jr., 909 Mulberry Lane, Bellaire, Texas for ad valorem tax paid in error	19.83
To pay Bradley Lynch, 2605 Guilford Road, Fort Worth, Texas for ad valorem tax paid in error	18.37
To pay Mrs. George Williams, 3826 Noah Street, Houston, Texas for ad valorem tax paid in error	47.44
To pay James D. Keasler, 1627 Kiltartan Drive, Dallas, Texas for ad valorem tax paid in error	59.88
To pay Henry H. Paris Distributor, Inc., 1125 Rothwell Street,	

Houston, Texas for overpayment of ad valorem tax due to over assessment	3,166.16
To pay Mrs. Adolph Davis, 4563 Warm Springs, Houston, Texas for ad valorem tax paid in error	59.49
To pay J. G. Catlett Co., 1579 East 21st Street, Tulsa, Oklahoma for ad valorem tax paid in error	39.08

Section 1. (a) A final and valid judgment having been obtained against the State of Texas by Tennessee Gas Transmission Company in Cause No. 100,870, 126th Judicial District Court of Travis County, Texas, for the recovery of certain monies, and it having been determined by the Attorney General of Texas, the Comptroller of Public Accounts and the State Auditor that there is still due and owing by the State of Texas to said Tennessee Gas Transmission Company the sum of \$266,161.96 in order to satisfy and fully pay said judgment in favor of said Tennessee Gas Transmission Company, it is directed that said claim be paid. In lieu of an appropriation to pay said amount of \$266,161.96 to pay the balance due and owing by the State of Texas on said judgment, there is hereby granted to said corporation a credit in said amount, to be applied against any and all franchise, gross receipts and occupation taxes which may become due and payable to the State of Texas, after the effective date of this Act by said corporation, its successors or assigns. Such credit may be fully assigned, in whole or in part, by said corporation, its successors or assigns, and any such successor or assignee may apply such credit against any such taxes which may be due and payable by such successor or assignee to the State of Texas. No such assignment of credit shall be effective until the State Comptroller shall have been furnished a true copy of such assignment certified to be correct by the assignor or the assignor's duly authorized officer, agent or attorney in fact. The credit granted to said corporation may be applied against the taxes specified above over a period of not to exceed Ten (10) years from and after the effective date of this Act, and no more than Twenty five per cent (25%) of the tax credit provided herein owned by any single person, firm or corporation shall be applied against taxes by such person, firm or corporation in any one calendar year. In order to apply against taxes the credit granted hereunder, the owner thereof, contemporaneously with each tax payment, shall submit to the State Comptroller a statement sworn to by such owner or his or its duly authorized officer, agent or attorney in fact, stating the amount of credit being applied, the tax against which it is applied, and that not more than Twenty-five per cent (25%) of the total credit originally owned or acquired by such owner has been applied against taxes for the applicable calendar year. The application of a credit against the taxes hereunder shall constitute a full accord and satisfaction, to the extent of the sum of the credit of the judgment for which the credit is granted, and the application of such credit against taxes shall constitute a full accord and satisfaction of such taxes to the extent of the sum of the credit applied.

However, in the event that the manner of accreditation as provided herein is declared unconstitutional, such company shall not be assessed any penalty or interest for taxes on which credit has been applied, if paid with reasonable promptness after any such declaration of unconstitutionality.

Such credit herein provided shall, when fully taken or waived under the terms hereof, be in full and final satisfaction of the judgment in favor of Tennessee Gas Transmission Company hereinabove referred to.

Section 2. The following amounts are hereby appropriated out of the Liquor Administration Fund No. 97 to pay the following:

To pay Acme Liquor Store, 2604 White Oak Drive, Houston, Texas 77009 for Liquor Floor Tax declared unconstitutional	\$ 144.09
To pay Brocco's Liquor Store, 2202 Scott, Houston, Texas for Liquor Floor Tax declared unconstitutional	201.84
To pay Golfcrest Liquor Store, 6703 Holmes Road, Houston, Texas for Liquor Floor Tax declared unconstitutional	38.46
To pay Greenfield's Liquor Store, 1025 Studewood, Houston, Texas for Liquor Floor Tax declared unconstitutional	69.30
To pay Leonard Knight Liquor Store, 409½ Milam Street,	

Houston, Texas for Liquor Floor Tax declared unconstitutional	88.10
To pay Lyon's Bottle Shop, 2701 Lyons Avenue, Houston, Texas for Liquor Floor Tax declared unconstitutional	98.91
To pay Lyon's Inn Liquor Store, 4719 Lyons Avenue, Houston, Texas for Liquor Floor Tax declared unconstitutional	229.66
To pay MacGregor Liquor Store, 4971 South Park, Houston, Texas for Liquor Floor Tax declared unconstitutional	124.08
To pay Bill E. Mitchell, dba Panhandle Liquor Store, Box 141, Panhandle, Texas for Liquor Floor Tax declared unconstitutional	134.41
To pay New Deal Liquor Store, c/o Calvin W. Wesch, Attorney at Law, 315 W. Austin Street, Kermit, Texas for Liquor Floor Tax declared unconstitutional	110.28
To pay Ole's Liquor Store, 4414 N. Shepherd, Houston, Texas for Liquor Floor Tax declared unconstitutional	54.00
To pay Park Liquor Store, 5245 Griggs, Houston, Texas for Liquor Floor Tax declared unconstitutional	108.59
To pay Pleasantville Drug & Liquor Store, 8310 Market Street, Houston, Texas for Liquor Floor Tax declared unconstitutional	54.42
To pay Ruby's Liquor Store, 4304 Almeda, Houston, Texas for Liquor Floor Tax declared unconstitutional	69.73
To pay Sam's Liquor Store, 6919 Lyons Avenue, Houston, Texas for Liquor Floor Tax declared unconstitutional	75.27
To pay Triple M. Liquor, 4704 Irvington, Houston, Texas for Liquor Floor Tax declared unconstitutional	66.32
To pay United Liquors, Inc., c/o Graham Bruce, Attorney at Law, P. O. Box 1144, Orange, Texas for Liquor Floor Tax declared unconstitutional	556.74
To pay Roy L. Schnautz, dba Roy's Liquor Store, c/o Sands Motel, Fredericksburg Road, Austin, Texas for Liquor Floor Tax declared unconstitutional	98.15
To pay Ace Package Store, 2490 Concord Street, Beaumont, Texas for Liquor Floor Tax declared unconstitutional	230.08
To pay Adolphus Hotel Company, 1321 Commerce Street, Dallas, Texas for Liquor Floor Tax declared unconstitutional	125.80
To pay C. A. Atkins Package Store, P. O. Box 121, Rosebud, Texas for Liquor Floor Tax declared unconstitutional	310.55
To pay Brad's Package Store, Arden Road, San Angelo, Texas for Liquor Floor Tax declared unconstitutional	248.69
To pay Cut Rate Liquor Store, c/o Lola L. Bonner, Attorney At Law, 312 N. Live Oak Street, Rockport, Texas for Liquor Floor Tax declared unconstitutional	139.12
To pay Economy Package Stores, No. 1, 2 and 3, c/o Will Hadden, Attorney at Law, 414 N. Lee, Odessa, Texas for Liquor Floor Tax declared unconstitutional	389.48
To pay Frymire Package Store, Box 386, Jarrell, Texas for Liquor Floor Tax declared unconstitutional	34.77
To pay Handy Dandy Liquors, c/o Taylor & Taylor, Attorneys at Law, SPJST Building, Temple, Texas for Liquor Floor Tax declared unconstitutional	54.57
To pay Highlands Package Store, 201 South Main, Highlands, Texas for Liquor Floor Tax declared unconstitutional	89.29
To pay The Hiway Package Store, c/o L. A. Cullison, Attorney At Law, Box 736, Fort Stockton, Texas for Liquor Floor Tax declared unconstitutional	76.94
To pay Hotel Cortez Liquor Package Store, 306 N. Mesa, El Paso, Texas for Liquor Floor Tax declared unconstitutional	64.11
To pay Jim's Package Store, c/o Thomas C. Braly, Attorney At Law, Combs-Worley Building, Pampa, Texas for Liquor Floor Tax declared unconstitutional	119.67
To pay Joseph's Package Store, c/o Yosip Package Store, 112 East 9th, Amarillo, Texas for Liquor Floor Tax declared unconstitutional	54.88
To pay Laredo Liquor Store, c/o Annie M. Fowler, 1620 San	

Bernardo Avenue, Laredo, Texas for Liquor Floor Tax declared unconstitutional	68.96
To pay Liberty Package Store, 3806 West 6th Street, Amarillo, Texas for Liquor Floor Tax declared unconstitutional	345.03
To pay Lott Package Store, c/o G. A. Martin, Box 3521, Lott, Texas for Liquor Floor Tax declared unconstitutional	122.40
To pay Parker's Package Store, c/o Reagan & Welch, Attorneys At Law, Marlin, Texas for Liquor Floor Tax declared unconstitutional	285.50
To pay Rinn's Package Store, c/o G. A. Martin, Box 352, Lott, Texas for Liquor Floor Tax declared unconstitutional	350.65
To pay Maggie Ernst Matthews, dba Rocksprings Package Store, Box 277, Rocksprings, Texas for Liquor Floor Tax declared unconstitutional	30.46
To pay Elnora Schwertner, Route 1, Jarrell, Texas for Liquor Floor Tax declared unconstitutional	60.61
To pay Statler Hilton Package Store, Inc., 1914 Commerce Street, Dallas, Texas for Liquor Floor Tax declared unconstitutional	221.26
To pay The Wagon Wheel, Box 1524, Bay City, Texas for Liquor Floor Tax declared unconstitutional	52.92
To pay Winkler Cut Rate Store, c/o Bessie Elaine Meadows, 9312 Radio Road, Houston, Texas for Liquor Floor Tax declared unconstitutional	107.66
To pay Winkler Package Store, c/o Bessie Elaine Meadows, for Liquor Floor Tax declared unconstitutional	167.49
To pay Hotel Stephen F. Austin—The National Hotel Co., 701 Congress Avenue, Austin, Texas for Liquor Floor Tax declared unconstitutional	181.83
To pay Barclay Line Package Store, Barclay, Texas for Liquor Floor Tax declared unconstitutional	189.57
To pay Charley's Package Store, Big Spring, Texas for Liquor Floor Tax declared unconstitutional	154.98
To pay Cowboy Package Store, Rogers, Texas for Liquor Floor Tax declared unconstitutional	217.04
To pay Frank Muzyka, Box 216, Bremond, Texas for Liquor Floor Tax declared unconstitutional	281.10
To pay E. L. Rinn, dba Rinn Package Store and Rinn Package Store No. 2, Box 743, San Marcos, Texas for Liquor Floor Tax declared unconstitutional	1,041.42
To pay Paul's Package Store, 303 East State Highway, Weslaco, Texas for Liquor Floor Tax declared unconstitutional	108.68
To pay Veterans Package Store No. 1, c/o Henry Stefka, Box 382, Rogers, Texas for Liquor Floor Tax declared unconstitutional	359.58
To pay Veterans Package Store, Westphalia, Texas for Liquor Floor Tax declared unconstitutional	223.70
To pay L. E. Davis Package Store, P. O. Box 502, Edna, Texas for Liquor Floor Tax declared unconstitutional	106.79
To pay Frank's Package Store, 231 Wood Street, Marlin, Texas for Liquor Floor Tax declared unconstitutional	122.47
To pay H. E. W. Package Store, 109 Live Oak Street, Marlin, Texas for Liquor Floor Tax declared unconstitutional	58.96
To pay McQueeney Courts Package Store, Box 14, McQueeney, Texas for Liquor Floor Tax declared unconstitutional	28.98
To pay Morgan's Bottle Shop, Box 374, Gladewater, Texas for Liquor Floor Tax declared unconstitutional	89.63
To pay Edgar C. Baughn, dba Lefty's Package Store, 279 Live Oak Street, Marlin, Texas for Liquor Floor Tax declared unconstitutional	11.34
To pay Swick's Package Store, Bremond, Texas for Liquor Floor Tax declared unconstitutional	331.34
To pay Blue Top Package Store, P. O. Box 1105, Big Spring, Texas for Liquor Floor Tax declared unconstitutional	314.99

To pay Centennial Package Store, P. O. Box 62, Perry, Texas for Liquor Floor Tax declared unconstitutional	540.94
To pay Frank Denina Package Store, 227 Wood Street, Marlin, Texas for Liquor Floor Tax declared unconstitutional	90.74
To pay Elkhorn Package Store, Bremond, Texas for Liquor Floor Tax declared unconstitutional	193.20
To pay Falco's Package Store, 148 Island, Marlin, Texas for Liquor Floor Tax declared unconstitutional	191.66
To pay Ferguson's Liquor, 4609 Red Bluff Road, Deer Park, Texas for Liquor Floor Tax declared unconstitutional	19.84
To pay Frenchy's Liquor Store, 3405 7th, Bay City, Texas for Liquor Floor Tax declared unconstitutional	151.55
To pay H-B Drugs,, c/o Sam D. W. Low, Attorney at Law, P. O. Box 13361, Houston, Texas for Liquor Floor Tax declared unconstitutional	424.06
To pay Haden's Liquor Store, Route 3, Box 1042, Humble, Texas for Liquor Floor Tax declared unconstitutional	140.48
To pay Virgil Huett, Freer, Texas for Liquor Floor Tax declared unconstitutional	273.32
To pay Jabo's Liquor Store, P. O. Box 62, Perry, Texas for Liquor Floor Tax declared unconstitutional	703.16
To pay Korner Grocery, 721 Commerce, Marlin, Texas for Liquor Floor Tax declared unconstitutional	4.37
To pay Little Beaver Package Store, 115 Railroad, Marlin, Texas for Liquor Floor Tax declared unconstitutional	88.13
To pay Nash's Grocery, Route 1, Bay City, Texas for Liquor Floor Tax declared unconstitutional	299.52
To pay Nash's Package Store, 1905 Seventh Street, Bay City, Texas for Liquor Floor Tax declared unconstitutional	49.75
To pay Olexy's Package Store, Bremond, Texas for Liquor Floor Tax declared unconstitutional	78.16
To pay Pat & Duke's Liquor Store, 114 Williams Street, Marlin, Texas for Liquor Floor Tax declared unconstitutional	83.74
To pay Ralston Drug Store, 2601 McGown Street, Houston, Texas for Liquor Floor Tax declared unconstitutional	66.07
To pay Ray's Northside Liquors, 2130 Blanco Road, San Antonio, Texas for Liquor Floor Tax declared unconstitutional	109.89
To pay Ray's Place, 608 E. Hopkins, Mexia, Texas for Liquor Floor Tax declared unconstitutional	76.16
To pay Sam B. Stewart, dba Sam's Package Store and Balcones Package Store, 5001 N. Fresco, Austin, Texas for Liquor Floor Tax declared unconstitutional	109.94
To pay Wallace Strickland's Package Store, Bremond, Texas for Liquor Floor Tax declared unconstitutional	158.89
To pay E. L. Wylie, dba Wylie's Package Store, 5812 Memorial Drive, Houston, Texas for Liquor Floor Tax declared unconstitutional	127.32
To pay Ewing S. Cates, dba Doc's Liquor Store No. 1 and No. 3, 2400 South Fillmore Street, Amarillo, Texas for Liquor Floor Tax declared unconstitutional	1,370.30
To pay Billy Dicorte, dba Billy Dicorte Store #1 and 2, and Frank's Liquor Store, Highway 6, Perry, Texas for Liquor Floor Tax declared unconstitutional	1,117.33
To pay Mrs. Ethel Turner, dba The Doll House, c/o Guy C. Jackson, Jr., Attorney at Law, Anahuac, Texas for Liquor Floor Tax declared unconstitutional	133.86
To pay Denson Liquor Market, 4107 Clark Avenue, San Antonio, Texas for Liquor Floor Tax declared unconstitutional	303.12
To pay Willcox Package Store, Box 163, Anahuac, Texas for Liquor Floor Tax declared unconstitutional	25.84
To pay South Side Drug, 410 South Grant Street, Odessa, Texas for Liquor Floor Tax declared unconstitutional	35.93
To pay T & P Liquor Store, 603½ East Murphy, Odessa, Texas for Liquor Floor Tax declared unconstitutional	74.07
To pay King's Package Store, Box 552, Mertzon, Texas for Liquor Floor Tax declared unconstitutional	37.89

To pay Dovie's Package Store, 325 Fitch, Odessa, Texas for Liquor Floor Tax declared unconstitutional ..... 37.34

Section 3. The following amounts are hereby appropriated out of the T.E.C. Fund #937 to pay the following:

To pay E. Noble, Mart, Texas for Warrant Number 1430843 on which the Statute of Limitations prohibits payment.....\$	28.00
To pay Jacaman's, 419 Convent, Laredo, Texas for Warrant Number E506699 on which the Statute of Limitations prohibits payment .....	13.00
To pay Jack Back, Tax Assessor & Collector, Gray County Courthouse, Pampa, Texas for Warrant Number F658620 on which the Statute of Limitations prohibits payment.....	25.00
To pay Powers Market, c/o Colton Credit Bureau, 250 North Eighth Street, Colton, California for Warrant Number I967550 on which the Statute of Limitation prohibits payment .....	25.00
To pay Mrs. Ruby Dalton, c/o Leroy E. Wheeler, 2321 Ella Street, Houston, Texas for Warrant Number E325071 on which the Statute of Limitations prohibits payment.....	37.00
To pay G. F. Cuellar, Crystal City, Texas for Warrants Number I819343 and I819342 on which the Statute of Limitations prohibits payment .....	48.00
To pay J. L. Albritton, 401 W. Pembroke, Dallas, Texas for Warrant Number C658286 on which the Statute of Limitations prohibits payment.....	28.00
To pay W. H. Govan, P. O. Box 172, Rotan, Texas for Warrant Number E180603 on which the Statute of Limitations prohibits payment .....	29.00
To pay Mrs. L. L. Mahle, 1511 Oakview Street, Bryan, Texas for Warrant Number G730873 on which the Statute of Limitations prohibits payment.....	30.00
To pay Frances R. Burke, 104 East Sadosa Street, Eastland, Texas for Warrant Number O185301 on which the Statute of Limitations prohibits payment.....	25.00
To pay Billy D. Gilbreath, 727 Manhattan Drive, San Antonio, Texas for Warrants Number C481453 and C467924 on which the Statute of Limitations prohibits payment.....	54.00

Section 4. The following amounts are hereby appropriated out of State Highway Fund No. 6 to pay the below listed judgments plus interest, if any, from date of judgment through date of payment:

To pay J. T. Carr, c/o Mock, Banner & McIntosh, Attorneys at Law, Wichita Falls, Texas for Judgment—Cause No. 69,587-A, 30th Judicial District Court, Wichita County, Texas.....\$	1,000.00
To pay J. T. Carr, c/o Mock, Banner & McIntosh, Attorneys at Law, Wichita Falls, Texas for interest on above judgment, not to exceed.....	30.90
To pay Mrs. Arra Grisham, W. D. Grisham, Freddie Grisham, Jack Hailey Grisham, Louise Grisham Moorehead, Lubie Moorehead and Mrs. Ruby Hodges, c/o James M. Crane, Attorney at Law, Surrey Building, Conroe, Texas for Judgment—Cause No. 22,188, Ninth Judicial District Court, Montgomery County, Texas .....	600.00
To pay Mrs. Arra Grisham, W. D. Grisham, Freddie Grisham, Jack Hailey Grisham, Louise Grisham Moorehead, Lubie Moorehead and Mrs. Ruby Hodges, c/o James M. Crane, Attorney at Law, Surrey Building, Conroe, Texas for interest on above judgment, not to exceed.....	45.76
To pay R. N. Morgan and wife, Janie Morgan, c/o Russell L. Dunn, Attorney at Law, Commercial Building, Sherman, Texas for Judgment—Cause No. 67,165, 59th Judicial District Court, Grayson County, Texas .....	275.00
To pay R. N. Morgan and wife, Janie Morgan, c/o Russell L. Dunn, Attorney at Law, Commercial Building, Sherman, Texas for interest on above judgment, not to exceed.....	14.92
To pay Mrs. Maud T. Rabun, J. D. Rabun and Mrs. Ruth Gard-	

ner, c/o James M. Crane, Attorney at Law, Surrey Building, Conroe, Texas for Judgment—Cause No. 22189, Ninth Judicial District Court of Montgomery County, Texas	1,000.00
To pay Mrs. Maud T. Rabun, J. D. Rabun and Mrs. Ruth Gardner, c/o James M. Crane, Attorney at Law, Surrey Building, Conroe, Texas, for interest on above judgment, not to exceed	76.28
To pay Robert G. Storey, 27th Floor Republic National Bank Building, Dallas, Texas for Judgment—Cause No. 63-896, 114th Judicial District Court, Smith County, Texas	3,500.00
To pay Robert G. Storey, 27th Floor Republic National Bank Building, Dallas, Texas for interest on above judgment, not to exceed	240.35
To pay Ed Tate and wife, Norma Tate, c/o A. Charles McJoda, Attorney at Law, P. O. Box 184, Austin, Texas for Judgment—Cause No. 23529, District Court of Falls County, Texas	400.00
To pay Dudley Ames and wife, Maud Ames, c/o G. C. Harris, Attorney at Law, Box 68, Greenville, Texas for Judgment—Cause No. 24,066, District Court, Hunt County, Texas	650.00
To pay Tom Hutton, c/o Coleman & Whitten, Attorneys at Law, Coleman Building, Denton, Texas, for Judgment—Cause No. 18,753, 16th Judicial Court, Cooke County, Texas	500.00
To pay Tom Hutton, c/o Coleman & Whitten, Attorneys at Law, Coleman Building, Denton, Texas for interest on above judgment, not to exceed	37.00
To pay Henry Hoeper and wife, Gertrude Hoeper, c/o Prickett & Tracy, Attorneys at Law, San Antonio Savings Building, San Antonio, Texas for Judgment—Cause No. F-145,414, 57th Judicial District Court, Bexar County, Texas	1,750.00
To pay Henry Hoeper and wife, Gertrude Hoeper, c/o Prickett & Tracy, Attorneys at Law, San Antonio Savings Building, San Antonio, Texas for interest on above judgment, not to exceed	173.00
To pay Condon-Cunningham, Inc., c/o R. Dean Moorehead, Attorney at Law, First Federal Building, Austin, Texas for Judgment—Cause No. 128,293, 126th District Court, Travis County, Texas	40,144.10
To pay Condon-Cunningham, Inc., c/o R. Dean Moorehead, Attorney at Law, First Federal Building, Austin, Texas for interest on above judgment, not to exceed	4,648.00
Section 5. The following amounts are hereby appropriated out of the Motor Fuel Fund No. 60 to pay the following:	
To pay Haltom Oil Company, P. O. Box 7278, Waco, Texas for refund of Gasoline Tax	\$ 365.24
To pay Clarence E. Linder, Route 2, Moody, Texas for refund of Motor Fuel Tax	102.93
To pay Mountain Iron & Supply Company, c/o Richard W. Stavely, Attorney at Law, Misco Building, Broadway at Second, Wichita, Kansas 67202 for refund on Motor Fuel Tax	327.75
To pay H. J. Finsterwald, Briscoe, Texas for Warrant Number 856275 on which the Statute of Limitations prohibits payment	39.88
Section 6. The following amounts are hereby appropriated out of the Omnibus Tax Clearance Fund #120, to pay the following listed claims and judgments, plus interest, if any, from date of judgment to September 1, 1965:	
To pay Connecticut General Life Insurance Co., c/o Clark, Thomas, Harris, Denius and Winters, Attorneys at Law, P. O. Box 1148, Austin, Texas for Judgment—Cause No. 126,713, 126th Judicial Court of Travis County, Texas	\$470,666.36
To pay Mobile Oil Company, c/o Frank McClendon, Jr., Office of General Counsel, P. O. Box 900, Dallas, Texas 75221 for Judgment—Cause No. 134,824, 126th Judicial District Court, Travis County Texas	65,965.35
To pay Dudley's Loan Service, c/o Francis L. Williams, Attorney at Law, 618 Prairie Avenue, Houston, Texas for refund of occupation tax, repealed by 58th Legislature	150.00

To pay Aztec Loan Company, 623 W. Zavala Street, Crystal City, Texas for refund of occupation tax, repealed by the 58th Legislature	150.00
To pay Boating Trades Association of San Antonio and San Antonio Sport and Boat Show, c/o LeLaurin, Chamberlain, Guenther, & Murry, Attorneys at Law, P. O. Box 2577, San Antonio, Texas for refund of admission tax, declared unconstitutional	1,187.44
To pay National Skating Derby and R. Don Thorne, Attorney at Law, 1208 Southwest National Bank Building, El Paso, Texas for refund of admission tax, declared unconstitutional	927.64
To pay Town and Country Promotions, c/o A. Harold Torian, 2702 Inwood Road, Temple, Texas for refund of admission tax, declared unconstitutional	959.79
To pay Horace Mann Life Insurance Co., 216 East Monroe Street, Springfield, Illinois for Premium Tax	12,941.78
Section 7. The following amounts are hereby appropriated out of the Game Fund #9 to pay the following:	
To pay W. H. Kellogg, 1322 Avenue O, Huntsville, Texas for fee as consultant in marking for cutting of timber on the Jasper and Huntsville Fish Hatcheries properties for Game and Fish Commission	\$ 1,118.00
To pay Moore Business Forms, Inc., P. O. Box 1753, Dallas 21, Texas for unpaid invoices for printing licenses for Game and Fish Commission	783.90
To pay Shop-Rite Foods, Inc., c/o Evans, Pharr, Trout and Jones, Attorneys at Law, Great Plains Building, Lubbock, Texas for duplicate Retail Fish Dealers License	176.00
Section 8. The following amounts are hereby appropriated out of the Trust and Suspense 900 Fund to pay the following:	
To pay Texas State Bank, P. O. Box 1151, Austin, Texas for Warrant Number 200849 on which the Statute of Limitations prohibits payment	3.75
To pay Texas National Bank of Commerce, Houston, Texas for Warrants Number 090541 and 090540 on which the Statute of Limitations prohibits payment	150.00
Section 9. The following amounts are hereby appropriated out of Special #19 Fund to pay the following:	
To pay First National Bank in Clarksville, Clarksville, Texas for Warrant Number 947951 on which the Statute of Limitations prohibits payment	\$ 3.00
To pay Evelyn J. Hickman, 4315 N. 37th Street, Milwaukee, Wisconsin for Warrant Number 384979 on which the Statute of Limitation prohibits payment	1.00
To pay Robert K. Roach, 400 S.E. 17th Street, Mineral Wells, Texas 76067 for Warrant Number 127761 on which the Statute of Limitations prohibits payment	3.00
To pay Rose Kupfernagel, 6927 Kernel, Houston, Texas 77017 for Warrant Number 440802 on which the Statute of Limitations prohibits payment	3.00
Section 10. The following amounts are hereby appropriated out of Old Age Assistance #27 Fund to pay the following:	
To pay Mrs. Addie Mae Brown, 210 Gaston, Wichita Falls, Texas for Warrant Number B561467 on which the Statute of Limitations prohibits payment	\$ 59.00
To pay P. B. Balfours, Route #9, Tyler, Texas for Warrant Number A270874 on which the Statute of Limitations prohibits payment	20.50
To pay Lura I. Wright, Route 2, Chico, Texas for Warrant Number D426998 on which the Statute of Limitations prohibits payment	29.00
To pay Pawelek's Store, Falls City, Texas for Warrant Number B981102 on which the Statute of Limitations prohibits payment	33.00



To pay C. M. Johnson, 3006 Elgin Avenue, Houston, Texas 77004 for Warrants Number O745342 and E584653 on which the Statute of Limitations prohibits payment.	115.00
To pay Claude Canion, 91 Tidwell Road, Houston, Texas for Warrant Number H454082 on which the Statute of Limitations prohibits payment.	28.00
To pay Annie P. Landrum, 2706 Fisher, Plainview, Texas for Warrant Number E255023 on which the Statute of Limitations prohibits payment.	21.00
To pay Sidney Lee Henderson, c/o Mrs. W. R. Sims, 521 W. Johnson Street, Denison, Texas for Warrants Number A723477, C046480, C485578, D144377 and E027176 on which the Statute of Limitations prohibits payment.	284.00
To pay Mrs. Clara F. Brown, Route 1, Mt. Vernon, Texas for Warrant Number D894905 on which the Statute of Limitations prohibits payment.	66.00
Section 11. The following amounts are hereby appropriated out of Special #247 Fund to pay the following:	
To pay Claude T. Curry, 2408 Calumet, Houston 4, Texas for Warrant Number 251195 on which the Statute of Limitations prohibits payment.	\$ 7.20
Section 12. The following amounts are hereby appropriated out of the Permanent School #44 Fund to pay the following:	
To pay W. D. Wofford, c/o Robert J. Seerden, Attorney at Law, 312 Victoria National Bank Building, Victoria, Texas for purchase of certain lands where courts adjudicated claimant had no right to purchase.	\$ 228.75
Section 13. The following amounts are hereby appropriated out of Public Welfare #101 Fund to pay the following:	
To pay Lee Wallace, 906 Elysian Fields Avenue, Marshall, Texas for Warrant Number D45913 on which the Statute of Limitations prohibits payment.	\$ 65.00
Section 14. The following amounts are hereby appropriated out of Special #85 Fund to pay the following:	
To pay Mrs. Nettie Hayes, Box 1033, El Campo, Texas 77437 for refund of Insurance License Fee.	\$ 5.00

Section 15. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated, the same shall have been verified as a valid claim by the affected State Department or Agency and shall have the approval of the Attorney General, The State Auditor and the State Comptroller.

Section 16. The Comptroller is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the said persons, firms or corporations named herein, in the amounts set opposite their respective names and shall mail or deliver to each of the said persons, firms or corporations at their respective addresses, warrant or warrants in payment of the said claim or claims.

Section 17. The provisions of this Act shall be severable. Should any item or amount itemized herein be held to be illegal, invalid, or incorrect, such holding shall not affect the legality, validity, or correctness of the remaining items or amounts

itemized herein, and the Legislature hereby specifically declares its intent and policy that each and every item and amount herein contained would have been passed and enacted by itself, notwithstanding the absence of any of such items or amounts as may have been found to be illegal, invalid or incorrect. If any section, paragraph or provision of this Act shall be declared unconstitutional or invalid for any reason, such holding or declaration shall not in any way affect the remaining sections, paragraphs or provisions hereof, and the Legislature hereby declares that it would have passed such remaining portions of the bill notwithstanding the absence of any such portions as may have been declared unconstitutional or invalid.

Section 18. All laws or parts of laws in conflict herewith are hereby repealed or modified to the extent of such conflict.

Section 19. The fact that the claims herein appropriated are past due, and the persons, firms or corporations

to whom the same are payable are being deprived of the proceeds thereof, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### Amendment No. 2

Amend Committee Amendment No. 1 to S. B. No. 314 by striking paragraph 3, page 27 and inserting in lieu thereof the following: "To pay Winkler Package Store, c/o Bessie Elaine Meadows, 9312 Radio Road, Houston, Texas, for Liquor Floor Tax declared unconstitutional, \$167.49".

The House amendments were read.

Senator Colson moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word

#### Nays—1

Hardeman

Absent—Excused

Creighton                      Ratliff

#### Senate Bill 583 on First Reading

Senator Watson moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time, a bill, the provisions of which he explained.

The motion prevailed by the following vote:

#### Yeas—29

Aikin                              Bates

Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Crump	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Watson
Kazen	Word
Kennard	

Absent—Excused

Creighton                      Ratliff

The following bill was then introduced, read first time and referred to the Committee indicated:

By Senator Watson:

S. B. No. 583, A bill to be entitled "An Act relating to application fees for hairdressers and cosmetologists and for manicurists, and to the disposition of the fees, amending Sections 4(a) and 13, Chapter 116, General Laws, Acts of the 44th Legislature, Regular Session, 1935, as amended; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Bill 439 Re-referred

On motion of Senator Strong and by unanimous consent S. B. No. 439 was withdrawn from the Committee on Finance and re-referred to the Committee on Education.

#### Reports of Standing Committees

Senator Moore by unanimous consent submitted the following report:

Austin, Texas,  
May 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 439, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

MOORE, Chairman.

Senator Herring by unanimous consent submitted the following reports:

Austin, Texas,  
May 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 115, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HERRING, Chairman.

Austin, Texas,  
May 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 54, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HERRING, Chairman.

Austin, Texas,  
May 20, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 98, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HERRING, Chairman.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the captions had been read the following enrolled bills and resolutions:

H. C. R. No. 79, Granting permission to C. H. Harrison Company to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 136, Directing Enrolling Clerk to make certain corrections in H. B. No. 12.

H. B. No. 210, A bill to be entitled "An Act validating all sales or conveyances or attempted sales or conveyances of abandoned right-of-way property made by counties of this State under the provisions of and priorities established in Article 1577, R. S. 1925, as amended by Acts 1953, 53rd Leg., p. 477, Ch. 133; providing that this Act shall not apply to any

sale or conveyance which is involved in litigation pending on the effective date of this Act; and declaring an emergency."

H. B. No. 613, A bill to be entitled "An Act exempting certain non-indigenous species from classification as game animals; amending Article 892, Penal Code of Texas, 1925, as amended; and declaring an emergency."

H. B. No. 626, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in Bandera County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring rights-of-way for designated State Highways, including Farm-to-Market Highways, or for Federal Highways; etc.; and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act relating to the approval or disapproval of the Parks and Wildlife Commission's rules, regulations, and orders by the Commissioners Court of Bandera County; amending Section 9, Chapter 50, Acts of the 55th Legislature, Regular Session, 1957, as amended; and declaring an emergency."

H. B. No. 930, A bill to be entitled "An Act ratifying, confirming, approving and validating proceedings and actions had and taken by the governing body of Harris County Water Control and Improvement District No. 87 and the organization and boundaries of said District; etc.; and declaring an emergency."

H. B. No. 1107, A bill to be entitled "An Act amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended, codified as Article 200a of Vernon's Civil Statutes, by adding thereto a new paragraph to be numbered Section 10a, authorizing differential pay to any active district judge when assigned to hold court in any county outside of his own judicial district; fixing the amount of such supplementary compensation, making other provisions relating thereto; providing for a repealing clause; and declaring an emergency."

#### Senate Bill 580 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular

order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 580, A bill to be entitled "An Act appropriating money to the Central Education Agency for each year of the biennium (1965-66, 1966-67) to be used to the extent required to pay salary increases to teachers employed in State School for the Deaf, Texas School for the Blind, and Texas Blind and Deaf School in line with authorization and conditions set out in House Bill 12, Acts 59th Legislature, Regular Session, 1965, Article IV, Section 2; and declaring an emergency."

The bill was read the second time.

Senator Aikin offered the following amendment to the bill:

Amend Senate Bill No. 580 by striking out all of Section 1 and substitute in lieu thereof the following:

"Sec. 1. There is hereby appropriated to the Central Education Agency the sum of Seventy-One Thousand (\$71,000) Dollars for the second year of the biennium, 1966-67, from the General Revenue Fund not otherwise appropriated, to be used to the extent as is required for the purpose of paying salary increases to teachers employed in State School for the Deaf, Texas School for the Blind and Texas Blind and Deaf School in line with the authorization and conditions set out in House Bill No. 12, Acts 59th Legislature, R. S. 1965, Article IV, Section 2."

The amendment was read and was adopted.

The bill as amended was passed to engrossment.

#### Senate Bill 580 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 580 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Calhoun
Bates	Cole
Blanchard	Colson

Crump	Parkhouse
Dies	Patman
Hall	Reagan
Hardeman	Richter
Harrington	Rogers
Hazlewood	Schwartz
Herring	Snelson
Hightower	Spears
Kazen	Strong
Kennard	Watson
Krueger	Word
Moore	

Absent—Excused

Creighton      Ratliff

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

Absent—Excused

Creighton      Ratliff

#### Senate Bill 584 on First Reading

The following local bill was introduced, read first time and referred to the Committee indicated:

By Senator Hazlewood:

S. B. No. 584, A bill to be entitled "An Act to create Municipal Courts with original and appellate jurisdiction in certain cases in any city having a portion of its population in more than one county, and containing a population of not less than one hundred thousand (100,000) or more than five hundred thousand (500,000) inhabitants, according to the last census; prescribing the jurisdiction, organization, procedure, and powers of such courts, prescribing the practice therein and the appeals

therefrom; providing for the selection of a Judge of said Court and for an Alternate Judge; providing for the removal of the Judge; providing for the hiring of personnel and the reporting and recording of the proceedings of said Court; providing for a Seal of said Court; providing for the selection of a Jury and the right of trial by Jury; prescribing the condition for vacating the offices of said Court and providing therefor; providing for the conforming of the criminal jurisdiction of other Courts thereto; providing a repealing clause, severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

#### Senate Bill 507 on Second Reading

On motion of Senator Word and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 507, A bill to be entitled "An Act rearranging Chapter Three (Rights of Married Women) of Title 75 (Husband and Wife) of the Texas Revised Civil Statutes of 1925, as amended; relating to the rights of spouses as affects the separate property of the spouses, the capacity of spouses, the powers of management, control and disposition of the property of spouses; etc.; and declaring an emergency."

The bill was read the second time.

Senator Word offered the following amendment to the bill:

Amend Senate Bill No. 507 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. The following provisions shall be Chapter Three of Title 75 of the Texas Revised Civil Statutes of 1925 as amended:

#### CHAPTER THREE RIGHTS OF SPOUSES

Article 4613. Separate property of spouses

All property owned or claimed by either spouse before their marriage and that acquired during their marriage by gift, devise or descent and the increase or mutations of property thus acquired shall be a spouse's sep-

arate property, over which that spouse shall have sole management, control and disposition. The addition of such words as "in his separate capacity" or "in her separate capacity" after the signature of a spouse to a contract shall be prima facie evidence that the contract is made in the exercise of his or her separate powers of management, control or disposition of his or her separate property.

#### Article 4614. Community property

All property acquired by spouses during their marriage except the separate property of either shall be community property. All property possessed by spouses on dissolution of their marriage shall be presumed to be community property. The community property shall be available to satisfy the liabilities of the spouses except as otherwise specifically provided in this chapter.

#### Article 4615. Capacity of spouses

All persons of whatever age married in accordance with the laws of this state shall have the power and capacity of a single person of full age except as to the right to vote and as otherwise specifically provided in this chapter.

#### Art. 4616. Powers of management, control and disposition

Each spouse shall have the sole management, control and disposition of his or her personal earnings, the revenues from his or her separate property, recoveries awarded to him or her and the increase, mutations and revenues of those earnings, revenues and recoveries; provided, however, the spouses shall join in, or the non-joining spouse shall consent to, disposition of community property when the disposition is without substantial consideration. Without prejudice to pre-existing creditors, the spouses may partition between themselves in severalty or in equal undivided interests all or any part of their existing community property or exchange between themselves the community interest of one spouse in any property for the community interest of the other spouse in other community property. Such partition or exchange shall be effected by a written instrument subscribed and acknowledged and filed of record (1) as to realty in the county in which the property or interest in property is situated, or (2) as to personalty in the county in which the spouse, to whom the property or interest in property is set aside, is domiciled. The

property or interest in property set aside to each spouse by that instrument shall be the separate property of that spouse. All transfers of separate or community property made by one spouse to the other without substantial consideration shall be made by a written instrument subscribed and acknowledged and filed of record (1) as to realty in the county in which the property or interest in property is situated, or (2) as to personalty in the county in which the donee is domiciled, and shall not prejudice the rights of pre-existing creditors.

**Art. 4617. Dealings with third parties**

Without notice to the contrary or being a party to a fraud upon the other spouse or another, persons dealing with a spouse in whose name property is held, whether evidenced by muniment, contract, deposit of funds or otherwise, shall be entitled to rely upon the authority of that spouse to deal with that property.

**Art. 4618. Unusual circumstances**

Upon judicial determination that either spouse has disappeared and his or her whereabouts have been continuously unknown to the other for more than sixty days or upon the appointment of a guardian for either spouse, the other spouse shall have sole management, control and disposition of all community property and homestead property which is his or her separate property. Upon judicial determination of reappearance of the spouse or upon the termination of the guardianship for the spouse, the right of that spouse to sole management, control and disposition of his or her personal earnings, the revenue from his or her separate property, recoveries awarded to him or her and the increase, mutations and revenues of those earnings, revenue and recoveries shall be resumed, and his or her joinder shall thereafter be required in the conveyance of homestead property which is the separate property of the other spouse.

**Art. 4619. Sale of homestead**

The homestead of a family shall not be sold, conveyed or incumbered, except as provided in Article 4618, without the joinder of the spouses.

**Art. 4620. Liability of separate and community property**

All property of the spouses shall be subject to liability for necessities of the family. All property over which a spouse has sole management, control and disposition shall be subject

to liabilities incurred by that spouse before or after marriage. The separate property of a spouse shall not be subject to liabilities of the other spouse incurred before or after marriage. The community property subject to the sole management, control and disposition of a spouse shall not be subject to liabilities incurred by the other spouse before their marriage and liabilities for contracts executed in connection with, or torts arising from, the other spouse's management, control or disposition of property during their marriage.

**Art. 4621. Suits**

A spouse may sue and be sued without the joinder of the other spouse. When claims or liabilities are joint or several, the spouses may be joined under the rules relating to joinder of parties generally; provided, however, suit by or against either spouse shall toll the statute of limitation in respect of the other spouse.

**Art. 4622. Judgment and execution**

When any combination of (1) separate property of a spouse, (2) community property subject to a spouse's sole management, control and disposition and (3) community property subject to the other spouse's sole management, control and disposition are subject to liability for a judgment, the judge shall in his discretion fix the order in which particular community and separate property shall be subject to execution and sale on the basis of the facts surrounding the transaction or occurrence upon which the suit is based.

**Art. 4623. Persons married elsewhere**

The law of this state shall apply to persons married elsewhere who are domiciled in this state.

**Section 2.** The present provisions (Articles 4613, 4614, 4615, 4616, 4617, 4618, 4619, 4620, 4621, 4622, 4624, 4624a, 4625, 4626 and 4627) of Chapter Three of Title 75 of the Texas Revised Civil Statutes of 1925 as amended are hereby repealed.

**Section 3.** Articles 1300, 1983, 1984, 1985, 6605 and 6608, Texas Revised Civil Statutes are hereby repealed, and any other Article in conflict with the provisions of this Act is repealed.

**Section 4.** If any provision of this Act is held invalid, that invalidity shall not affect other provisions hereof which can be given effect without the invalid provision and for this purpose the provisions of this Act are declared to be severable.

**Section 5.** The fact that the present

statutes and the judicial decisions relating thereto indicate the necessity of a restatement and revision of the law relating to the rights of married women and to the rights of spouses and the desire to make such laws relating thereto equal in their application and the crowded condition of the calendar of the Legislature create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, that the Rule is hereby suspended, and that this Act shall be in force and effect from and after its passage, and it is so enacted.

The amendment was read.

Senator Bates offered the following amendment to the pending amendment:

Amend the Word floor amendment to S. B. 507 by striking the words "sixty days" from Article 4618 therein contained and substituting therefor the words "180 days," and by inserting the words "except homestead property which is community property" between "community property" and the words "and homestead property" in the first sentence thereof.

The amendment to the pending amendment was read and was adopted.

The amendment by Senator Word as amended was then adopted.

On motion of Senator Word and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 507 on Third Reading

Senator Word moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 507 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Colson
Bates	Creighton
Blanchard	Crump
Calhoun	Dies
Cole	Hall

Harrington	Reagan
Hazlewood	Richter
Herring	Rogers
Hightower	Schwartz
Kazen	Snelson
Kennard	Spears
Krueger	Strong
Moore	Watson
Parkhouse	Word
Patman	

Nays—1

Hardeman

Absent—Excused

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### Message from the House

Hall of the House of Representatives  
Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to House Bill No. 37 by non-record vote.

The House refused to concur in Senate amendments to House Bill No. 1041 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. Members of the House Conference Committee: Haring, Hale, Cherry, Peeler and Green.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Conference Committee on House Bill 1041

Senator Patman called from the President's Table for consideration at this time, the request of the House for a Conference Committee to adjust the differences between the two Houses on H. B. No. 1041 and moved that the request be granted.

The motion to grant the request prevailed.

Accordingly, the President an-

nounced the appointment of the following as a Conference Committee on the part of the Senate on H. B. No. 1041: Senators Patman, Dies, Herring, Reagan and Strong.

### Bills Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled bills:

S. B. No. 78, A bill to be entitled "An Act to amend Subsection (j) to Section 1, Acts, 1929, Regular Session, Chapter 314, Page 698, as amended (codified as Article 911b, Title 25, Vernon's Annotated Revised Civil Statutes of Texas), so as to exclude from the term transporting property for compensation or hire equipment furnished by the owner thereof, by lease, and when, during the same period of time the owner of the equipment furnished is employed to operate such equipment, and when such equipment and driver are to be used exclusively in the transportation of sand, gravel, dirt, caliche, shell, asphalt rock, crushed stone, hot-mix alphaltic concrete (not liquid asphalt), and aggregate, in bulk, when such substances are being transported to or from the job site of any construction project for or on behalf of the Federal Government, the State of Texas, or any political subdivision thereof, or to or from the construction site of any national defense project or airport and roadways leading thereto, or to or from the construction site of any road, highway and expressway, and declaring an emergency."

S. B. No. 391, A bill to be entitled "An Act to reconstitute the membership of the State Building Commission as provided by Article III, Section 51-b, Constitution of Texas, 1876, as amended by adding the Lieutenant Governor to the State Building Commission in place of the Chairman of the Board of Control; and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act amending Subsection (a) of Section 109 of the Texas Probate Code so as to provide that either the father or the mother is entitled to appointment as guardian of the estates of the minor children by the marriage if the parents live together; and declaring an emergency."

S. B. No. 319, A bill to be entitled

"An Act amending Subsections (1), (2), (4), and (6) of Section 2 of Article XX of Chapter 184, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended, and codified as Article 7083a; concerning the allocation of State moneys to the 'Blind Assistance Fund,' the 'Children's Assistance Fund,' the 'Old Age Assistance Fund' and the 'Disabled Assistance Fund'; providing for the allocation to each such fund an amount out of state funds for each fiscal year which will provide funds in amounts equivalent to the funds appropriated by the Legislature for such purposes; fixing the operative date of the Act; providing a repealing clause, a savings clause; and declaring an emergency."

### Senate Bill 520 with House Amendment

Senator Kazen called S. B. No. 520 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

### Committee Amendment No. 1

Amend all below the enacting clause of S. B. No. 520 and substitute in lieu thereof the following:

"Section 1. Section 165, Texas Probate Code, is amended to read as follows:

"Sec. 165. Bond of Community Administrator. The community administrator shall at the time the inventory, appraisement, and list of claims are returned, present to the court a bond with two or more good and sufficient sureties, payable to and to be approved by the judge and his successors in a sum as is found by the judge to be adequate under all the circumstances, or a bond with one surety in a sum as is found by the judge to be adequate under all the circumstances, if the surety is an authorized corporate surety, conditioned that such surviving spouse will faithfully administer such community estate and pay one-half the surplus thereof, after the payment of the debts with which the whole of such property is properly chargeable, to such person or persons as shall be entitled to receive same.

"Sec. 2. The importance of this legislation and the crowded condition of the calendar in both houses create



an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

The amendment was read.

Senator Kazen moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

**Yeas—29**

Aikin	Kennard
Bates	Krueger
Blanchard	Moore
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word
Kazen	

**Absent—Excused**

Creighton                      Ratliff

**Senate Bill 392 with House Amendments**

Senator Herring called S. B. No. 392 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

**Committee Amendment No. 1**

Amend Senate Bill 392 by Herring by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Paragraph (q), Section 19 of Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature, 1935, as amended by Chapter 205, Acts of the Fifty-fourth Legislature, 1955, codified as paragraph (q), Section 19 of Article 3912e, Vernon's Civil Statutes, in so far as said provisions are applicable to counties whose officers are compensated on a salary basis, is hereby repealed.

"Sec. 2. Article 3897 of the Re-

vised Civil Statutes of Texas, 1925, in so far as said provisions are applicable to counties whose officers are compensated on a salary basis, is hereby repealed.

"Sec. 3. The provisions of paragraph (q), Section 19 of Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature, 1935, as amended, and the provisions of Article 3897, Revised Civil Statutes of Texas, 1925, shall, from and after the effective date of this Act, be applicable only to those counties whose officers are compensated on a fee basis.

"Sec. 4. All laws or parts of laws in conflict with this Act are hereby repealed.

"Sec. 5. Due to the fact that the above cited statutes have long since become antiquated and meaningless due to the fact that the present reports are of no use or benefit to the officeholder or the person with whom same are to be filed, and the additional fact that no official has authority to revise or question these reports, and the further fact that much time and thousands of dollars are expended in preparing these needless reports, which are not used by the State Auditor, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and this Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

**Committee Amendment No. 2**

Amend Senate Bill 392 by Herring by striking out all above the enacting clause and inserting in lieu thereof the following:

**"A BILL  
To Be Entitled**

An Act repealing paragraph (q), Section 19, Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature, 1935, as amended by Chapter 205, Acts of the Fifty-fourth Legislature, 1955, codified as paragraph (q), Section 19, Vernon's Civil Statutes, in so far as said provisions are applicable to counties whose officials are compensated on a salary basis; repealing Article 3897 of the Revised Civil Statutes of Texas, 1925, in so far as said provisions are applicable to counties whose officials are compensated on a salary basis; providing

that the provisions of paragraph (q) of Section 19, Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature, 1935, as amended, and the provisions of Article 3897, Revised Civil Statutes of Texas, 1925, shall be applicable to counties whose officers are compensated on a fee basis; repealing any statute in conflict herewith; providing for a repealing clause; and declaring an emergency."

The amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

#### **Senate Bill 492 with House Amendment**

Senator Herring called S. B. No. 492 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### **Committee Amendment No. 1**

Amend Senate Bill 492 by striking all below the enacting clause and substituting in lieu thereof the following:

Section 1. This Act shall be applicable to (and the term "issuer" as used in this Act shall mean and include) the State of Texas, or any department, agency or instrumentality of the State of Texas or any county, municipal corporation, taxing district or other political district or subdivision of the State of Texas having power to borrow money and issue bonds.

Section 2. Any issuer may issue a replacement bond to be exchanged for any damaged or mutilated bond theretofore lawfully issued and which at the time of exchange is outstanding, and may also issue a replacement bond for any bond theretofore lawfully issued and which is outstanding to replace any such bond which has been destroyed, lost or stolen, without an election. Any bond issued to replace a destroyed, lost or stolen bond, shall be issued upon indemnity satisfactory to the issuer, and to the Trustee if such bond is secured by a Trust Indenture. The issuer may require an affidavit or any other form of evidence satisfactory to the is-

suer to establish proof of ownership and the circumstances of the lost, theft, destruction, mutilation or damage of such bond.

Section 3. Any bond issued pursuant to the provisions of this Act shall be of like tenor and effect as the bond which it is issued to replace, except that such replacement bond shall bear a date specified by the issuer and shall be signed manually, or in facsimile, as provided by law, by the officers of the issuer holding office at the time of issuance of the replacement bond.

Section 4. Any such replacement bond shall be submitted to the Attorney General for his approval. If the Attorney General finds that such bond has been issued in accordance with the provisions of this Act he shall approve same and shall transmit any such bond to the Comptroller of Public Accounts for registration. The Comptroller shall register any such replacement bond in the same manner as the original bond was registered, giving it the same registration number as the original bond, except that such number shall be preceded by the letter R. The Comptroller shall date his registration certificate as of the date of registration of the replacement bond. Prior to registration of a bond issued to replace a mutilated or damaged bond, the Comptroller shall cancel the bond being replaced and return same to the issuer. The Comptroller shall register other bonds authorized herein upon certification from the Attorney General that such bond is being issued to replace a bond which has been lost, stolen or destroyed.

Section 5. This Act shall be cumulative of all existing laws relating to the issuance of bonds.

Section 6. If any provision of this Act or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 7. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was read.

Senator Herring moved that the Senate concur in the House amendment.

The motion prevailed.

#### **Senate Bill 529 with House Amendment**

Senator Bates called S. B. No. 529 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### **Committee Amendment No. 1**

Amend S. B. 529 by striking the figures "\$11,500" appearing in Sec. 11(a) of the bill, and substituting therefor the following: "\$8,500."

The House amendment was read.

Senator Bates moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Bates, Cole, Hardeman, Moore and Parkhouse.

#### **Report of Standing Committee**

Senator Blanchard by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Insurance, to which was referred H. B. No. 1071, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

BLANCHARD, Chairman.

#### **Senate Bill 397 with House Amendments**

Senator Dies called S. B. No. 397 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### **Committee Amendment No. 1**

Amend Senate Bill No. 397 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. Paragraph 3 of Section 5, Chapter 3, Page 465, Acts 46th Legislature, 1939 (codified as Section 3 of Article 5421c-3, Vernon's Texas Civil Statutes) is amended to read as follows:

"3. There is hereby created a board to be known as the School Land Board, and to be composed of three (3) members, namely: The Commissioner of the General Land Office, who shall be Chairman, and one (1) citizen of the State appointed by the Governor with the advice and consent of the Senate, who shall serve for a term of two (2) years, and one (1) citizen of the State appointed by the Attorney General with the advice and consent of the Senate, who shall serve for a term of two (2) years. The authority of the Attorney General to appoint one of the members of the School Land Board hereunder, including the power to make appointments during the recess of the Senate, shall be the same as the authority provided in the Constitution of the State of Texas for the filling of vacancies in State offices by the Governor, and each appointment made hereunder from time to time by the Governor and by the Attorney General, respectively, shall be made in accordance with and subject to those provisions of the Constitution of the State of Texas authorizing the filling of vacancies in State offices by appointment of the Governor."

Sec. 2. Section 5 of Chapter 442, Acts 58th Legislature, 1963, is hereby repealed; however, the composition of the School Land Board and appointments by the Attorney General of a citizen of the State to be a member of the School Land Board are hereby in all things ratified, approved, and validated, and for the purpose of determining the validity, legality, and effect of all actions of such appointees and of the School Land Board taken between the effective date of Chapter 442, Acts 58th Legislature, 1963, and the effective date of this Act, such appointments and the composition of the School Land Board shall be conclusively presumed to be valid, legal and effective.

Sec. 3. Each citizen member of the School Land Board is entitled to receive a per diem allowance for each day spent in performance of his duties and reimbursement for actual and necessary travel expenses incurred in the performance of his duties, as provided by the General Appropriation Act.

Sec. 4. The importance of this legislation and the crowded condition of the calendar in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

#### Committee Amendment No. 2

Amend Senate Bill No. 397 by striking out all above the enacting clause and substituting in lieu thereof the following:

#### A BILL To Be Entitled

An Act amending Paragraph 3 of Section 5, Chapter 3, Page 465, Acts 46th Legislature, 1939 (codified as Section 3 of Article 5421 C-3, Vernon's Texas Civil Statutes) to remove the Governor from the School Land Board and substituting one citizen of the State appointed by the Governor for a term of two (2) years to confirm removal of the Attorney General from the School Land Board and substituting one citizen of the State appointed by the Attorney General for a term of two years; repealing Section 5 of Chapter 442, Acts 58th Legislature, 1963; validating composition of the School Land Board and appointments to the Board of a citizen of the State by the Attorney General; and declaring an emergency.

The House amendments were read.

Senator Dies moved that the Senate concur in the House amendments.

The motion prevailed.

#### House Bill 559 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 559, A bill to be entitled "An Act relating to the jurisdiction of the county court of Red River County; repealing Chapter 498, Acts of the 44th Legislature, 3rd Called Session, 1936; Chapter 457, Acts of the 45th Legislature, Regular Session, 1937, and Chapter 23, page 196, General Laws, Acts of the 46th Legislature, 1939; and declaring an emergency."

The bill was read second time and passed to third reading.

#### House Bill 559 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 559 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Crump	Richter
Dies	Rogers
Hall	Schwartz
Hardeman	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	Word

Absent—Excused

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

#### Committee Substitute Senate Bill 236 on Second Reading

On motion of Senator Hightower and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C. S. S. B. No. 236, A bill to be entitled "An Act creating the Commission on Law Enforcement Officer Standards and Education; providing

for the functions of the Commission; providing for membership thereof and the terms and methods of the appointment of the members; providing that members of the Commission may hold public office in addition to the membership on the Commission; providing for a chairman, vice-chairman and secretary; providing that members of the Commission shall receive actual and necessary expenses; providing for the authorities, duties, and responsibilities of the Commission; providing that the Act is not to affect provisions of Article 1269m, V.C.S.; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Record of Votes

Senators Hardeman and Reagan asked to be recorded as voting "Nay" on the passage of C. S. S. B. No. 236 to engrossment.

#### Committee Substitute Senate Bill 236 on Third Reading

Senator Hightower moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. B. No. 236 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Moore
Cole	Parkhouse
Colson	Patman
Creighton	Richter
Crump	Rogers
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Hightower	

#### Nays—2

Hardeman Reagan

#### Absent

Word

Absent—Excused

Ratliff

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Record of Votes

Senators Hardeman and Reagan asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 236.

#### House Bills on First Reading

The following bills received from the House were read the first time and referred to the committees indicated:

H. B. No. 322, To the Committee on Counties, Cities and Towns.

H. B. No. 225, To the Committee on Water and Conservation.

H. B. No. 88, To the Committee on State Affairs.

#### Report of Standing Committee

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,

May 21, 1965.

Hon. Preston Smith, President of the Senate:

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 583, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SNELSON, Vice-Chairman.

#### Senate Bill 104 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. B. No. 104 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. B. No. 104 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—20

Aikin	Creighton
Blanchard	Dies
Colson	Harrington

Hazlewood	Richter
Herring	Rogers
Hightower	Schwartz
Kennard	Snelson
Krueger	Spears
Parkhouse	Strong
Reagan	Word

## Nays—10

Bates	Hardeman
Calhoun	Kazen
Cole	Moore
Crump	Patman
Hall	Watson

## Absent—Excused

## Ratliff

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 104, A bill to be entitled "An Act to create Municipal Courts with original and appellate jurisdiction in certain cases in cities having a population of fifty thousand (50,000) or more; prescribing the jurisdiction, organization, procedure, and powers of such courts; prescribing the practice therein and the appeals therefrom; providing for the selection of a Judge of said Court and for the removal of the Judge; etc.; and declaring an emergency."

The bill was read the second time.

Senator Herring offered the following amendment to the bill:

Amend Section 3 of S. B. 104 by striking out the last five words and the period at the end of the second sentence and by inserting thereat the following:

"either in the manner prescribed by the Charter of the City, or in the following manner, to-wit"

The amendment was read and was adopted.

Senator Kazen offered the following amendment to the bill:

Amend S. B. 104 by striking out the words and figures "fifty thousand (50,000)" wherever they appear and substituting in lieu thereof the words and figures "seventy thousand (70,000)."

The amendment was read.

Senator Schwartz offered the following amendment to the pending amendment:

Amend the pending amendment to S. B. 104 by further striking the words "according to the last preceding United States census" wherever they appear.

The amendment to the pending amendment was read and was adopted.

The amendment as amended was then adopted.

Senator Hazlewood offered the following amendment to the bill:

Amend S. B. 104, Sec. 2, by striking out the words beginning with "Article" in line 45 and ending with the word "intoxicated," in line 48.

The amendment was read and was adopted.

Senator Bates offered the following amendment to the bill:

Amend S. B. 104 by striking the words "where neither the defendant, prosecutor nor the judge demands it" and substituting therefor the words "unless the defendant so requests."

The amendment was read and was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

## Record of Votes

Senators Hardeman, Cole and Hightower asked to be recorded as voting "Nay" on the passage to engrossment of S. B. No. 104.

## Motion to Place

## Senate Bill 104 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 104 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

## Yeas—21

Aikin	Colson
Bates	Creighton
Blanchard	Dies
Calhoun	Harrington

Hazlewood	Richter
Herring	Schwartz
Kennard	Snelson
Krueger	Spears
Parkhouse	Strong
Patman	Word
Reagan	

## Nays—8

Cole	Hightower
Crump	Kazen
Hall	Moore
Hardeman	Watson

## Absent

Rogers

## Absent—Excused

Ratliff

Conference Committee Report on  
House Bill 1041

Senator Patman submitted the following Conference Committee Report on H. B. No. 1041:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Hon. Ben Barnes, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 1041 have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PATMAN  
STRONG  
HERRING  
DIES

On the part of the Senate.

HARING  
GREEN  
PEELER  
CHERRY

On the part of the House.

H. B. No. 1041,

A BILL  
To Be Entitled

An Act creating and establishing a conservation and reclamation district under Article XVI, Section 59, of the Constitution of Texas, comprising certain territory contained in Live Oak County, Texas, to be known as Three Rivers Water Dis-

trict; constituting the same a governmental agency and body politic and corporate and a municipal corporation; defining the boundaries thereof and finding that all land and property therein will be benefited and no exclusion hearing shall be held, and that no election shall be necessary to confirm the organization of the District nor shall hearings be held on a plan of taxation but the ad valorem plan shall be used; prescribing the rights, powers, privileges and duties of said District and incorporating the General Law pertaining to water control and improvement districts not in conflict or inconsistent with the provisions of this Act; providing for a board of directors, their terms, the filling of vacancies, the election of successors, and prescribing the duties and qualifications for such directors; prescribing the purpose for which bonds may be issued; the methods of securing the payment and the procedure for the issuance of such bonds; requiring all bonds payable in whole or in part from taxes, except refunding bonds, to be approved by the resident qualified property taxpaying voters whose property has been duly rendered for taxation and providing terms and conditions for the issuance of bonds and the sale thereof; prescribing the manner in which such elections shall be called, held and notice thereof given; exempting the District's bonds from taxation; providing that the District shall have the power to fix rates and charges for services furnished; providing for a District depository and its selection; making applicable to the District Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and providing that the cost of relocation, raising, rerouting, or changing the grade or altering the construction of any highway, railroad, electric transmission line or telegraph properties and facilities shall be borne by District; enacting provisions relating to contracts with a city and providing that the District may acquire water rights under certain terms and conditions; providing that bonds of the District shall be authorized investments in certain instances and shall be eligible to secure the deposits of certain funds; declaring the District essential; making certain findings

relating to the publication of the notice of intention to apply for the passage of this Act; enacting provisions incident and relating to the subject; providing a severance clause; and declaring an emergency."

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

**Section 1. District Created.** Under and pursuant to the provisions of Article XVI, Section 59 of the Constitution of Texas, a conservation and reclamation district is hereby created in Live Oak County to be known as Three Rivers Water District, hereinafter referred to as the "District," which shall be a governmental agency and body politic and corporate and municipal corporation.

**Sec. 2. Territory Comprising the District.** The area of the District is hereby established to comprise all territory contained within the boundaries described as follows, to wit:

Beginning at the Southeast corner of Tract 18 of Tract "B" of Hamilton Bros. Subdivision as shown by the plat of said subdivision recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas, and which tract is also in the William O'Docharty Survey, Abstract 33, in Live Oak County, for the most Southeast corner of this district;

Thence, in a Northerly direction along the Eastern boundary line of said Tract 18 of Tract "B" of Hamilton Bros. Subdivision as shown by the plat of said subdivision recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas, to the Northeast corner of said Tract 18;

Thence, in a Westerly direction to the Southeast corner of Tract 21 of Tract "B" of Hamilton Bros. Subdivision as shown by plat of said subdivision recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas;

Thence, in a Northerly direction along the Eastern boundary line of Tract 21 to the South line of a 100 acre tract of land out of Tracts 21 and 22 of Tract "B" of said Hamilton Bros. Subdivision and which 100 acre tract of land is more particularly described in a deed recorded in Vol. 87, page 141, of the Deed Records of Live Oak County, Texas;

Thence, in an Easterly direction to the Southeast corner of said 100 acre tract;

Thence, in a Northerly direction

with the East boundary of said 100 acre tract as described in said Vol. 87, page 141, of the Deed Records of Live Oak County, Texas, to its Northeast corner for an inner corner of this district;

Thence, in an Easterly direction to the Southeast corner of a 30 acre tract of land in the William O'Docharty Survey, Abstract 33, as described in a deed recorded in Vol. 41, page 78, of the Deed Records of Live Oak County, Texas, for another Southeast corner of this district;

Thence, North along the Eastern boundary of said 30 acre tract of land to the Northeast corner of said 30 acre tract of land, said Northeast corner being in the Southern boundary line of a tract of 450 acres, more or less, in the Bridget Haughey Grant and William O'Docharty Grant in Live Oak County, Texas, said 450 acres of land being described in a deed recorded in Vol. 50, page 255, of the Deed Records of Live Oak County, Texas, for a Northeast corner of this district;

Thence, along the Southern boundary line of said 450 acres of land as described in said deed recorded in Vol. 50, page 255, in a Westerly direction to a point in said Southern boundary line, which point is due South of the Southwest corner of Tract 2 of Tract "A" of Hamilton Bros. Subdivision as shown on the plat of said subdivision recorded in Vol. "U," pages 150 and 151 of the Deed Records of Live Oak County, Texas, for an inner corner of this district;

Thence, due North to said Southwest corner of said Tract 2 of Tract "A" of Hamilton Bros. Subdivision as shown on the plat of said subdivision recorded in Vol. "U," pages 150 and 151 of the Deed Records of Live Oak County, Texas, for another Northeast corner of this district;

Thence, in a Northwesterly direction to the Southeast corner of a 328.29 acre tract of land in the Bridget Haughey Grant, Abstract No. 9, as described in a deed recorded in Vol. "Y," pages 563, et seq., of the Deed Records of Live Oak County, Texas, for the most Northeasterly corner of this district;

Thence, in a Westerly direction along the Southern boundary line of said 328.29 acre tract of land in the Bridget Haughey Grant, Abstract No. 9, as described in a deed recorded in Vol. "Y," pages 563, et seq., of the Deed Records of Live Oak



County, Texas, to the Easterly right-of-way line of the San Antonio, Uvalde and Gulf Railroad right-of-way, also known as the Missouri Pacific Lines right-of-way, for the most northerly Northwest corner of this district;

Thence, in a Southerly direction along the Eastern right-of-way line of said San Antonio, Uvalde and Gulf Railroad right-of-way to a point in said railroad right-of-way that is due East of the Northeast corner of a 41.75 acre tract of land in the William O'Docharty Grant, Abstract No. 33, being Survey No. 2 of Share No. 5 of the James Murray Estate Land, said 41.75 acre tract of land being described in a deed recorded in Vol. 52, page 276, of the Deed Records of Live Oak County, Texas, for an inner corner of this district;

Thence, due West to the Northwest corner of said 41.75 acre tract of land as described in a deed recorded in Vol. 52, page 276, of the Deed Records of Live Oak County, Texas, for a Northwesterly corner of this district;

Thence in a Southerly direction along the Western boundary line of said 41.75 acre tract of land as described in a deed recorded in Vol. 52, page 276, of the Deed Records of Live Oak County, Texas, to the Southwest corner thereof, said Southwest corner being in the Northern boundary line of Tract 1 of Tract "B" of Hamilton Bros. Subdivision as shown on the plat of said Tract "B" of Hamilton Bros. Subdivision recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas, for an inner corner of this district;

Thence, in a Westerly direction along the Northern boundary line of said Tract 1 of Tract "B" of Hamilton Bros. Subdivision as shown on the plat of said Tract "B" of Hamilton Bros. Subdivision recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas, to the Northwest corner of said Tract 1 on the East bank of the Frio River;

Thence, due West across the Frio River to the West Bank of the Frio River;

Thence, down the West bank of the Frio River with its meanders to a point where the South boundary of Tract 4 of Tract "B" of said Hamilton Bros. Subdivision extended intersects this West bank of the Frio River for a Southwest corner of this district;

Thence, in a Easterly direction crossing the Frio River to its East bank at the Southwest corner of said Tract 4 of Tract "B" of Hamilton Bros. Subdivision, and continuing with the South boundary of said Tract 4 to where this boundary of Tract 4 intersects the West right-of-way line of the old S. A. U. & G. Railroad as shown on the plat of said Tract "B" of Hamilton Bros. Subdivision recorded in Vol. "U," pages 148 and 149, of the Deed Records of Live Oak County, Texas, this point being a corner in the South line of this district;

Thence, in a Northeasterly direction crossing old S.A.U. & G. Railroad right-of-way, to the Southwest corner of Tract 20 of Tract "B" of Hamilton Bros. Subdivision as shown by plat recorded in Vol. "U," pages 148 and 149 of the Deed Records of Live Oak County, Texas, for a corner in the South line of this district;

Thence, in an Easterly direction with the South line of Tracts 20, 19 and 18 of said Tract "B" of Hamilton Bros. Subdivision to the Southeast corner of said Tract 18, the Place of Beginning.

There is also included in the territory of the District and comprising an additional part of the District the river beds of and all those areas below the 140 ft. contour line above mean sea level which lay and meander along the Atascosa and Frio Rivers situated in Live Oak County, Texas, upstream from the above-described boundaries of the District.

The area of the District included within the above-described boundaries is situated in Live Oak County and contains approximately 2,500 acres, more or less.

It is hereby determined and found by the Legislature that the boundaries and field notes of said District form a closure, and if any mistake is made in copying the field notes in the Legislative process it shall in no way or manner affect the organization, existence and validity of said District or the right of the District to issue bonds or refunding bonds or in any other manner affect the legality or operation of the District.

Sec. 3. District's Powers. The District shall have and exercise and is hereby vested with all of the rights, powers and privileges conferred by the General Laws of the State now in force and effect or hereinafter enacted, applicable to water control and improvement districts created under

the authority of Article XVI, Section 59 of the Constitution of Texas, but to the extent that the General Laws may be in conflict and inconsistent with the provisions of this Act, the provisions of this Act shall prevail. All such General Laws are hereby incorporated by reference with the same effect as if incorporated in full in this Act. It shall, however, not be necessary for the board of directors to call a confirmation election or to hold a hearing on the adoption of a plan of taxation, but the ad valorem plan of taxation shall be used by the District.

Sec. 4. Governing Body of the District. The management and control of the District is hereby vested in a board of five (5) directors, which shall have all of the powers and authority conferred upon boards of directors of water control and improvement districts organized under the provisions of Chapter 25, Acts of the Thirty-ninth Legislature, passed in 1925, and amendments thereto, as incorporated in Title 128, Chapter 3A of Vernon's Civil Statutes of the State of Texas and amendments thereto. Upon the effective date of this Act, the following named persons shall be and constitute the board of directors of said District: (1) Harold D. House, Three Rivers, (2) Aubrey Lee, Three Rivers, (3) J. Arthur Byrne, Three Rivers, (4) J. K. Montgomery, Three Rivers, and (5) J. T. Bomar, Three Rivers, and each of said directors shall subscribe to the Constitutional Oath of Office and give bond for the faithful performance of his duties in the amount of Five Thousand Dollars (\$5,000) within sixty (60) days after the effective date of this Act, the cost of which shall be paid by the District; and shall hold office until his successor has been elected and qualified. Should any of the named directors refuse to act or for any reason fail to qualify as herein required, the County Judge of Live Oak County shall fill such vacancy. The terms of the first two (2) named directors shall expire in 1966, on the day and month set for city elections in Three Rivers, and the terms of the last three (3) named directors shall expire one year later. A regular election for the election of directors shall be held each year, on the day and month set for city elections in the City of Three Rivers, beginning in 1966. Two (2) directors shall be elected in even-numbered years and three (3) directors in each

odd-numbered year. The regular elections for directors shall be ordered by the Board and such order shall state the time, place and purpose of the election, and the board shall appoint the presiding judge who shall appoint an assistant judge and two (2) clerks, if needed. The board may, by agreement with Three Rivers, use the city election judges, clerks, and material.

All vacancies in office (other than for failure of an original director to qualify as hereinabove provided) shall be filled by majority vote of the remaining directors and such appointees shall hold office for the unexpired term for which they were appointed. Each director shall receive no compensation other than actual and necessary expenses. Any person who is a resident property owning taxpaying voter of the District shall be eligible to hold the office of director of the District. The board of directors shall elect from its number a president and vice president of the District, and such other officers as in the judgment of the board are necessary. The president shall be the chief executive officer of the District and the presiding officer of the board, and shall have the same right to vote as any other director. The vice president shall perform all duties and exercise all powers conferred by this Act upon the president when the president is absent or fails or declines to act.

Sec. 5. May Issue Bonds. For the purpose of acquiring or improving a water supply and water treatment facilities, or for the purpose of constructing, improving, extending or enlarging water storage and distribution facilities, or for either or all of such purposes, the District is specifically authorized to issue its negotiable bonds. Such bonds may be secured by and payable from ad valorem taxes or net revenues of the District, or by combination of such taxes and revenues as authorized by the general law relating to water control and improvement districts. No bonds payable in whole or in part from taxes, except refunding bonds, shall be issued by the District until their issuance has been approved by a majority of the resident qualified property taxpaying voters whose property has been duly rendered for taxation who participate in an election called for that purpose. Should any proposition so submitted be defeated, another election or elections

may be called and held after the expiration of 180 days within the District to vote upon the same or similar proposition at such time as the board of directors may determine. Bond elections may be called by the board of directors without a petition. The board may, by agreement with Three Rivers, use city election judges, clerks, and material. The resolution calling the election shall specify the time and places of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the maximum interest rate, the form of ballot and the presiding judge for each voting place. The board shall show on the ballot the total amount to be issued, the maximum interest rate, and the maximum interest that can be paid. The presiding judge serving at each voting place shall appoint the necessary assistant judges and clerks for holding such election. The returns of the elections shall be made to and canvassed by the board of directors of the District. The General Laws relating to elections shall be applicable to elections held under this Section of this Act, except as otherwise provided in this Act.

Except as herein otherwise prescribed, the bonds of the District shall be authorized by resolution of the board of directors and may be sold under the terms and provisions of the General Laws of this State now in effect or hereafter enacted applicable to bonds issued by water control and improvement districts. Within the discretion of the board, the bonds may be callable prior to maturity at such times and prices as may be prescribed in the resolution authorizing their issuance.

All bonds of the District, including refunding bonds, and the proceedings pertaining to their authorization, shall be submitted to the Attorney General of Texas, and if such bonds have been authorized in accordance with the provisions of this Section 5, he shall approve the bonds which shall then be registered by the Comptroller of Public Accounts. Thereafter such bonds shall be valid and binding as negotiable instruments and shall be incontestable for any cause.

Sec. 6. Bonds Exempt from Taxation. The bonds issued hereunder and their transfer, and the income therefrom, including the profits on the sale thereof, shall at all times be free

from taxation by the State or by any municipal corporation, county, or other political subdivision or taxing district of the State. It shall not be necessary for the Board of Directors to call or hold a hearing on the exclusion of land or other property from the District; provided, however, that the Board of Directors shall hold such hearing upon the written request of any land or other property owner within the District filed with the Secretary of the Board prior to the calling of the first bond election for the District. Nothing in this Section shall be construed to prevent the Board on its own motion from calling and holding an exclusion hearing or hearings pursuant to the provisions of the General Law.

Sec. 7. District Depository and Its Selection. The board of directors shall designate one or more banks to serve as depository for the funds of the District. All funds of the District shall be deposited in such depository bank and banks, except those pledged to pay bonds, which shall be deposited with the trustee bank, or paying agent named in the bond proceedings and to the extent provided for in such proceedings. To the extent that funds in the depository bank and the trustee bank are not insured by the F.D.I.C., they shall be secured in the manner provided by law for the security of county funds.

Sec. 8. Charges for Services. The district shall have the right to fix and collect charges, fees or tolls for the services of its water system and facilities, and District shall have the right to impose penalties for failure to pay when due such charges, fees, or tolls.

Sec. 9. District May Acquire Property. For the purpose of carrying out any power or authority conferred by this Act, the District shall have the right to acquire land and easements by condemnation in the manner provided by Title 52, Revised Civil Statutes, as amended, relating to eminent domain. The amount of and character of interest in land and easements thus to be acquired shall be determined by the board of directors. In the event that the District in the exercise of the power of eminent domain or power of relocation or any other power granted hereunder makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line or pipeline or tele-

phone or telegraph properties and facilities, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility. The power of eminent domain granted shall be confined to the limits of Live Oak and McMullen Counties.

Sec. 10. May Contract with City. Any city may enter into contract to take water from the facilities of the District or purchase water from the District upon the terms and conditions provided in Article 1109e, Vernon's Texas Civil Statutes, and such contract or any other contract executed by the District and another political subdivision of the State of Texas may provide one of the parties thereto shall operate or maintain (either or both), all or part of the properties, plants and facilities of the District as the parties thereto may specify, but in no event shall such contract be construed as relieving the District of its obligation to provide for the operation and maintenance of its properties plants and facilities.

Sec. 11. Recreational Facilities. The board may provide recreational services and facilities, and may enter into contracts and agreements with the Federal Government and with corporations and agencies of the Federal Government in relation to recreational services and facilities, and may perform all functions necessary to qualify for Federal recreational grants and loans.

Sec. 12. May Acquire Water Rights. The District shall have the power to acquire water rights under permit from the Texas Water Commission or may acquire water rights held by any city or district upon such terms and conditions as may be negotiated between the District and any such city or district, subject to approval by the Texas Water Commission.

Sec. 13. District Declared Essential. The Legislature hereby declares that the enactment hereof is in fulfillment of a duty conferred upon it by Section 59 of Article XVI of the Constitution of Texas wherein it is empowered to pass such laws as may

be appropriated in the preservation and conservation of the natural resources of the State; that the District herein created is essential to the accomplishment of the purposes of said constitutional provisions; and that this Act operates on a subject in which the State at large is interested. It is hereby found and determined that all the lands and other property included within the boundaries of the District will be benefitted thereby, and that the District is created to serve a public use and benefit and no exclusion hearing shall be held nor shall any land or other property be excluded from the District. All the terms and provisions of this Act are to be liberally construed to effectuate the purposes herein set forth.

Sec. 14. Bonds of District as Investment and Security for Public Funds. All bonds of the District shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, and for the sinking funds of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their value when accompanied by all unmatured coupons appurtenant thereto.

Sec. 15. Proper Notice Published and Given. It is hereby found and determined that in conformity with Article XVI, Section 59 of the Constitution of Texas (as amended in 1964) notice of the intention to introduce this bill setting forth the general substance of this contemplated bill and law has been published at least thirty days and not more than ninety days prior to the introduction of this bill in the Legislature in a newspaper or newspapers having general circulation in the county or counties in which said district or any part thereof will be located by delivering a copy of such notice and such bill to the Governor, who has submitted such notice and bill to the Texas Water Commission, which has filed its recommendations as to such bill with the Governor, Lieutenant Governor and Speaker of the House of Representatives within thirty days from date notice was received by the Texas Water Commission. The evidence of the foregoing was exhibited in the Legislature before the passage of this Act. The time, form and manner

of giving said notices and the performance of said acts as required by the Constitution are hereby found to be sufficient to comply with the Constitution and such notices and all acts in relation thereto are hereby approved and ratified.

Sec. 16. Savings Clause. Nothing in this Act shall be construed to violate any provision of the Federal or State Constitutions, and all acts done under this Act shall be done in such manner as will conform thereto, whether herein expressly provided or not. Where any procedure hereunder may be held by any court to be violative of either of such Constitutions, the District shall have the power by resolution to provide an alternative procedure conformable with such Constitution. If any provision of this Act shall be invalid, such fact shall not affect the creation of the District or the validity of any other provisions of this Act, and the Legislature here declares that it would have created the District and enacted the valid provisions of this Act notwithstanding the invalidity of any other provision or provisions hereof.

Sec. 17. Emergency Clause. The public importance of the purposes herein contemplated and the fact that material benefits and improvements will result to the territories embraced within the District and the fact a proper administration for the conservation of water resources are immediately and urgently needed in the area, create an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days in each House be suspended, and such Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee Report was read and was adopted by the following vote:

#### Yeas—30

Aikin	Hazlewood
Bates	Herring
Blanchard	Hightower
Calhoun	Kazen
Cole	Kennard
Colson	Krueger
Creighton	Moore
Crump	Parkhouse
Dies	Patman
Hall	Reagan
Hardeman	Richter
Harrington	Rogers

Schwartz	Strong
Snelson	Watson
Spears	Word

Absent—Excused

Ratliff

#### House Bill 125 Re-referred

On motion of Senator Spears and by unanimous consent H. B. No. 125 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Counties, Cities and Towns.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 12, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, the payment of claims against the State, and for State aid to public junior colleges, for the two-year period beginning September 1, 1965, and ending August 31, 1967; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expanding the appropriated funds; and declaring an emergency."

Signed subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas.

S. B. No. 12, A bill to be entitled "An Act creating a Texas State Committee on Aging to be known as the 'Governor's Committee on Aging'; etc.; and declaring an emergency."

#### Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 225, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Snelson by unanimous consent submitted the following reports:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 125, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1079, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 4, A bill to be entitled "An Act to provide a Forty-five Dollar (\$45) per month increase in the base salary of each professional position listed and scheduled in the Foundation School Program Act, Section 2, Article II, S. B. 116, Chapter 334, 51st Legislature, Regular Session, 1949, and Section 1 of Article IV, S. B. 116, supra, as amended in 1961 in S. B. 1, Chapter 1, 2nd Called Session (Arts. 2922-12, Sec. 2; 2922-14, Sec. 1, V.C.S.) including positions described in S. B. 18, Chapter 40, 57th Legislature, 3rd Called Session, 1962, and H. B. 525, Chapter 509, 58th Legislature, Regular Session, 1963, (Art. 2922-14a and 2922-14b, V.C.S.); providing an effective date; providing for an additional increase in the local fund assignment for school year 1965-66, the percentage and method to determine thereafter, annually, such charge also complying with Section 2 of Article VI, S. B. 116 supra,

as amended in 1961 (Art. 2922-16, Sec. 2, V.C.S.); providing a severability clause; and declaring an emergency."

The House has concurred in Senate amendments to House Bill No. 391 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 911 by non-record vote.

The House has concurred in Senate amendments to House Bill No. 1099 by non-record vote.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk House of Representatives

#### Motion to Adjourn

Senator Moore moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 24, 1965.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion was lost by the following vote:

#### Yeas—5

Blanchard	Hightower
Crump	Moore
Hardeman	

#### Nays—25

Aikin	Kennard
Bates	Krueger
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	Word

#### Absent

Rogers

#### Absent—Excused

Ratliff

#### Bill Signed

The President in the presence of the Senate after the caption had been read, the following enrolled bill:

S. B. No. 84, A bill to be entitled "An Act relating to the licensing and regulation of motor transportation

brokers by the Railroad Commission of Texas; providing an effective date; providing a severability clause; repealing conflicting laws; and declaring an emergency."

#### Senate Concurrent Resolution 107 on Second Reading

On motion of Senator Crump and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading the following resolution:

S. C. R. No. 107, Granting permission to Sam McCollum, III, to sue the State.

The resolution was read and was adopted.

#### Report of Standing Committee

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred S. B. No. 584, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it be passed as amended and be not printed.

SNELSON, Vice-Chairman.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 231, A bill to be entitled "An Act relating to extending the benefits of the Texas Water Department Bond Program to the development of subsurface water resources of the state; amending Sections 2(f) and 12, Chapter 245, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

H. B. No. 325, A bill to be entitled "An Act relating to hunting quail in Cass, Marion, and Morris Counties; and declaring an emergency."

H. B. No. 340, A bill to be entitled "An Act relating to the hunting of deer on the Red River Arsenal and Lone Star Ordnance Plant properties in Bowie County; amending Chap-

ter 336, Acts of the 58th Legislature, 1963; and declaring an emergency."

H. B. No. 368, A bill to be entitled "An Act providing for the rendering of judgment for attorney's fee, not to exceed Fifty Dollars (\$50), plus costs of suit, in favor of landlords and against tenants in forcible entry and detainer suits and in forcible detainer suits where tenants are unlawfully holding over the premises of the landlord at the time the suit is filed but vacate the premises prior to the rendition of judgment when the landlord follows certain prescribed procedures; etc., and declaring an emergency."

H. B. No. 618, A bill to be entitled "An Act amending Chapter 188, Acts of the Forty-fourth Legislature, Regular Session, 1935 (codified as Article 1010a of Vernon's Texas Code of Criminal Procedure) by adding thereto a new Section 2a to provide that in counties containing a population in excess of one million two hundred thousand (1,200,000) inhabitants according to the last preceding Federal Census, the county auditor may prescribe from time to time a system of accounting for the collection of either or both fines and fees to supersede the system set out in Section 1 and 2 of said Act, and that subsequent thereto officers collecting either or both fines and fees in any such county shall utilize solely the system prescribed by the county auditor; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 629, A bill to be entitled "An Act providing for fees to be received by Clerks of the District Courts in counties containing a population in excess of one million two hundred thousand (1,200,000) inhabitants according to the last preceding Federal Census; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 682, A bill to be entitled "An Act amending the Election Code of the State of Texas by adding a new section stating that applications for poll tax receipts and exemption certificates which are mailed before the first day of February shall be deemed to have been received before that date if they are delivered to the tax collector on or before the fifth day of February and declaring an imperative public necessity for sus-

pension of the Constitutional Rule on the reading of bills.

H. B. No. 771, A bill to be entitled "An Act amending House Bill No. 312, Chapter 339, Page 581, General and Special Laws, Acts of the 52nd Legislature, Regular Session, 1951, by changing the date of the election for Trustee in Independent School Districts having two hundred thousand (200,000) or more scholastics according to the last official scholastic census and wherein there is situated a city having a population of nine hundred thousand (900,000) or more inhabitants according to the last Federal Census, and having a board of seven (7) Trustees; etc.; and declaring an emergency."

H. B. No. 773, A bill to be entitled "An Act limiting the provisions of this Act to Shackelford County; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said County at any time; etc., and declaring an emergency."

H. B. No. 844, A bill to be entitled "An Act restoring the jurisdiction of the Franklin County Court; repealing Chapter 231, Acts of the 49th Legislature, 1945; and declaring an emergency."

H. B. No. 774, A bill to be entitled "An Act limiting the provisions of this Act to Eastland County; making it unlawful, except under the provisions of this Act, for any person to hunt, take, kill or possess any game bird or game animal in said County at any time; to take, kill or trap any furbearing animal in said County; etc., and declaring an emergency."

H. B. No. 958, A bill to be entitled "An Act conferring on the Parks and Wildlife Commission regulatory responsibility over the taking of wildlife resources in the counties of Andrews, Crosby, Dawson, Fisher, Gaines, Garza, Glasscock, Hockley, Howard, Irion, Kent, Lubbock, Lynn, Martin, Scurry, Sterling, Stonewall, Terry, Yoakum of the State of Texas; and declaring an emergency."

H. B. No. 932, A bill to be entitled "An Act ratifying, confirming, approving and validating proceedings and actions had and taken by the governing body of Harris County Water Control and Improvement Dis-

trict No. 89; etc.; and declaring an emergency."

H. B. No. 937, A bill to be entitled "An Act amending Acts 1959, 56th Legislature, Third Called Session, Chapter 1 (designated and compiled as Title 122 A "Taxation-General" of the Revised Civil Statutes of Texas, 1925) as amended by adding to Chapter 16 thereof entitled "Stock Transfer Tax" a new article numbered 16.10, which provides for alternative methods for paying the stock transfer tax to be prescribed by the Comptroller; providing for severability; and declaring an emergency."

H. B. No. 938, A bill to be entitled "An Act amending Article 6.02 of Part Six of Section 1 of the Texas Miscellaneous Corporation Laws Act, Acts of the 57th Legislature, H. B. No. 138, Ch. 205, p. 408 (1961), as amended by adding to said Art. 6.02 a new section to be known as Section C, so as to authorize transfer of title to certificates and shares of stock by entries on the books of a clearing corporation; defining terms used in said Section C, providing for severability; and declaring an emergency."

#### House Bill 1071 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. B. No. 1071 was ordered not printed.

#### Senate Concurrent Resolution 113

Senator Watson offered the following resolution:

S. C. R. No. 113, Recalling S. B. No. 78 from the Governor's Office for further consideration.

Whereas, Senate Bill No. 78 has passed both House of the Legislature and has been forwarded to the Governor's Office; and

Whereas, Senate Bill No. 78 needs to be returned for further consideration; now, therefore, be it

Resolved, By the Senate, the House of Representatives concurring, that Senate Bill No. 78 be returned to the Senate for further consideration.

The resolution was read.

Senator Watson asked unanimous consent to consider the resolution immediately.

There was objection.

Question—Shall S. C. R. No. 113 be adopted?



**Recess**

Senator Bates moved that the Senate take recess until 2:00 o'clock p.m. today.

Senator Hightower moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 24, 1965.

Question first on the motion to adjourn, Yeas and Nays were demanded.

The motion was lost by the following vote:

**Yeas—7**

Calhoun	Moore
Crump	Parkhouse
Hardeman	Word
Hightower	

**Nays—23**

Aikin	Kennard
Bates	Krueger
Blanchard	Patman
Cole	Reagan
Colson	Richter
Creighton	Rogers
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Hazlewood	Strong
Herring	Watson
Kazen	

**Absent—Excused**

Ratliff

Question next on the motion to recess, the motion prevailed.

Accordingly, the Senate at 12:01 o'clock p.m. took recess until 2:00 o'clock p.m. today.

**After Recess**

The President called the Senate to order at 2:00 o'clock p.m. today.

**Leaves of Absence**

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

Senator Crump was granted leave of absence for today on account of important business on motion of Senator Parkhouse.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 195, A bill to be entitled "An Act apportioning the State of Texas into Representative Districts; naming the Counties composing each District; providing the number of Representatives to be elected in each District; making the Act effective for the elections for all Representatives from the places herein specified and described for the Sixtieth Legislature, and continuing in effect thereafter for succeeding Legislatures; providing the Act shall not affect present membership, personnel, or Representative Districts of the Fifty-ninth Legislature; and providing Special Elections for the filling of vacancies in the office of any Representative of the Fifty-ninth Legislature shall be filled in the District as it now exists; repealing Sections 1, 2, 3, 6, 7 and 8, Chapter 256, Acts of the 57th Legislature, Regular Session, 1961; and declaring an emergency."

S. C. R. No. 106, Conveying gratitude and appreciation to R. E. (Bob) Smith, etc.

H. B. No. 569, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Rayburn Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; provid-

ing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Angelina County; providing District shall bear expenses of relocating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District, and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Angelina County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this district, and related matters; providing that notice of all elections shall be under hand of president or secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases

made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions related to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 976, A bill to be entitled "An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as 'Acres Homes Improvement District'; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding a benefit to all land and other property within the District; finding that District is created to serve a public use and benefit; conferring on District the rights, powers, privileges, authority and duties of the general laws of Texas applicable to water control and improvement districts created under Article 16, Section 59, Constitution of Texas, where not in conflict with this Act and adopting same by reference; providing for no election for confirmation; providing for no hearing for exclusions; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation for the District; providing for governing body of District; providing for qualifications and bonds of directors; naming first board of directors; providing for terms and election of directors and notice of directors elections, and related matters; providing for directors to fill vacancies; providing for organization of board of directors; providing for a secretary pro tem; providing for employment of engineers, auditors, attorneys, and other employees; providing for approval of District's plans and specifications by the Texas Water Commission and inspection during construction by said Commission; providing for bonds and refunding bonds to be approved by the Attorney General of Texas and registered by the Comptroller of Public Accounts of Texas and providing for negotiability, legality, validity, obligation, incontestability of the bonds and refunding bonds; providing the power of eminent domain shall be limited to Harris County; providing District shall bear expenses of re-

locating, raising or rerouting of any highway, railroad, or utility lines or pipelines made necessary by its exercise of the power of eminent domain; providing that the Municipal Annexation Act shall have no application to this District; determining and finding the requirements of Article 16, Section 59(d) as to notice of intention to introduce this Act have been fulfilled and accomplished; providing for the selection of a depository or depositories for the District, and related matters; providing that Article 7880-75b shall be applicable to this District but requiring additional requisites prior to annexation of territory, and related matters; providing additional powers of District within and without boundaries of District but limited to Harris County; providing for the sale of bonds of the District and the exchange of bonds for property and for the minimum price of bonds at such sale or exchange; providing that Article 7880-77b shall not be applicable to this district, and related matters; providing that notice of all elections shall be under hand of president or secretary; providing for canvassing election returns; providing the bonds of this District and their transfer and income therefrom and profits thereon and purchases made by District shall be tax-free in this State; providing the bonds and refunding bonds of this District shall be eligible investments; enacting other provisions relating to the aforementioned subjects; providing for a severability clause; and declaring an emergency."

H. B. No. 989, A bill to be entitled "An Act amending Article 14.33 of the Insurance Code of Texas, Acts, 1951, 52nd Legislature, Chapter 491, as amended, providing that the conservator may, with the approval of the Commissioner, reinsure any part of a company's policies or certificates; amending Chapter 22 of the Insurance Code of Texas, Acts 1951, 52nd Legislature, Chapter 491, as amended; providing stipulated premium companies may be placed in conservatorship under certain circumstances; providing a conservator may be appointed by the Commissioner of Insurance; prescribing the authority of such conservator; author-

izing such conservator to take certain action; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk House of Representatives

#### House Bills on First Reading

The following bills received from the House, were read the first time and referred to the committees indicated:

H. B. No. 1158, To Committee on Counties, Cities and Towns.

H. B. No. 781, To Committee on Counties, Cities and Towns.

H. B. No. 976, To Committee on Water and Conservation.

H. B. No. 742, To Committee on Counties, Cities and Towns.

H. B. No. 1105, To Committee on Game and Fish.

H. B. No. 687, To Committee on Jurisprudence.

H. B. No. 704, To Committee on State Affairs.

H. B. No. 607, To Committee on Game and Fish.

H. B. No. 588, To Committee on Counties, Cities and Towns.

H. B. No. 532, To Committee on State Affairs.

H. B. No. 398, To Committee on Jurisprudence.

H. B. No. 267, To Committee on Oil and Gas.

H. B. No. 1170, To Committee on Public Health.

H. B. No. 1128, To Committee on Water and Conservation.

H. B. No. 1155, To Committee on Counties, Cities and Towns.

H. B. No. 1152, To Committee on Counties, Cities and Towns.

H. B. No. 1110, To Committee on Counties, Cities and Towns.

H. B. No. 1083, To Committee on Water and Conservation.

H. B. No. 1057, To Committee on Counties, Cities and Towns.

H. B. No. 925, To Committee on Education.

H. B. No. 907, To Committee on Game and Fish.

H. B. No. 811, To Committee on Counties, Cities and Towns.

H. B. No. 760, To Committee on Counties, Cities and Towns.

H. B. No. 754, To Committee on Jurisprudence.

H. B. No. 989, To Committee on Insurance.

H. B. No. 949, To Committee on Counties, Cities and Towns.

H. B. No. 992, To Committee on Banking.

H. B. No. 528, To Committee on Water and Conservation.

H. B. No. 793, To Committee on Counties, Cities and Towns.

H. B. No. 569, To Committee on Counties, Cities and Towns.

H. B. No. 1134, To Committee on Counties, Cities and Towns.

H. B. No. 1120, To Committee on Counties, Cities and Towns.

H. B. No. 1145, To Committee on Game and Fish.

H. B. No. 1053, To Committee on Game and Fish.

H. B. No. 1125, To Committee on Water and Conservation.

#### Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 1125, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Snelson by unanimous consent submitted the following reports:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 322, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 819, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Senator Creighton by unanimous consent submitted the following reports:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 517, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 1068, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 1105, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 1053, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Snelson by unanimous consent submitted the following reports:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 820, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1158, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Water and Conservation, to which was referred H. B. No. 528, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 1120, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Senator Creighton by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to which was referred H. B. No. 1145, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CREIGHTON, Chairman.

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 781, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

#### Senate Concurrent Resolution 114

Senator Creighton by unanimous consent offered the following resolution:

S. C. R. No. 114, Recalling S. B. No. 78 from the Governor's Office for further consideration.

Whereas, Senate Bill Number 78 has been passed by both the Senate and the House, and is now in the Office of the Governor, and requires further consideration; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the Governor be and is hereby respectfully requested to return Senate Bill 78 to the Senate, and be it further

Resolved, That the President of the Senate and the Speaker of the

House be instructed to remove their signatures from the Bill in order to permit further consideration.

The resolution was read.

Senator Creighton asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Creighton then moved to suspend the regular order of business to consider S. C. R. No. 114.

The motion prevailed by the following vote:

**Yeas—22**

Aikin	Kazen
Bates	Kennard
Calhoun	Krueger
Cole	Patman
Colson	Richter
Creighton	Rogers
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Herring	Strong
Hightower	Word

**Nays—4**

Blanchard	Parkhouse
Hardeman	Reagan

**Absent**

Hazlewood	Watson
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**Absent—Excused**

Crump	Ratliff
Moore	

Question—Shall S. C. R. No. 114 be adopted?

**House Bill 1068 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 1068 was ordered not printed.

**House Bill 517 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 517 was ordered not printed.

**House Bill 820 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 820 was ordered not printed.

**House Bill 819 Ordered Not Printed**

On motion of Senator Krueger and

by unanimous consent H. B. No. 819 was ordered not printed.

**House Bill 322 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 322 was ordered not printed.

**House Bill 1105 Ordered Not Printed**

On motion of Senator Krueger and by unanimous consent H. B. No. 1105 was ordered not printed.

**House Bill 1158 Ordered Not Printed**

On motion of Senator Snelson and by unanimous consent H. B. No. 1158 was ordered not printed.

**Senate Resolution 725**

Senator Schwartz by unanimous consent offered the following resolution:

Whereas, The Southwest Regional Advisory Board of the Anti-Defamation League of B'nai B'rith, at its annual meeting in Houston, Sunday, May 23rd, is honoring The Right Reverend John E. Hines, Presiding Bishop of the Episcopal Church of the U.S.A. for his many contributions to the development of human understanding while serving as Bishop of the Diocese of Texas; and

Whereas, This presentation of the A.D.L. Human Relations Award to Bishop Hines reflects active service with the National Council of the Episcopal Church, recalls his Chairmanship of the Joint Commission of the Church in Human Affairs, which broadened the ministry of the church in our industrial society, reminds us of his labors with the National Council Committee on Ecumenical Relations and his presidency of the Council of Churches of Greater Houston, as well as laying the groundwork for present chaplaincy system while a member of the Texas State Board of Hospitals and Special Schools; and

Whereas, In all of these fields of public service Bishop Hines has labored unceasingly in the highest tradition of religious leadership, striving to further the understanding of the dignity of human personality, earning for himself not alone the highest honors within the councils of the Episcopal Church, but moreover the esteem, the respect and the accolades of the whole community; now, therefore, be it

Resolved, That the Senate of the State of Texas join all other Texans in an expression of admiration for the sterling qualities of personality and dedication to service which have earned Bishop Hines the highest praise of his fellow man and the Anti-Defamation League Human Relations Award.

SCHWARTZ  
KENNARD  
DIES  
COLE

The resolution was read and was adopted.

#### Motion to Adjourn

Senator Hardeman moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 24, 1965.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion was lost by the following vote:

#### Yeas—5

Aikin	Hazlewood
Blanchard	Parkhouse
Hardeman	

#### Nays—21

Bates	Kennard
Calhoun	Krueger
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Schwartz
Hall	Snelson
Harrington	Spears
Herring	Strong
Hightower	Word
Kazen	

#### Absent

Rogers	Watson
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#### Absent—Excused

Crump	Ratliff
Moore	

#### Reports of Standing Committees

Senator Calhoun by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Oil and Gas, to which was referred S. B.

No. 567, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CALHOUN, Chairman.

Senator Richter by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 408, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended, and be printed.

RICHTER, Vice-Chairman.

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 588, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

Senator Richter by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred S. B. No. 264, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RICHTER, Vice-Chairman.

#### House Bill 528 Ordered Not Printed

On motion of Senator Colson and by unanimous consent H. B. No. 528 was ordered not printed.

#### Senate Bill 408 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent S. B. No. 408 was ordered not printed.

**Senate Bill 439 on Second Reading**

On motion of Senator Strong and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 439, A bill to be entitled "An Act amending Section 1, Chapter 436, Acts of the 54th Legislature, Regular Session, 1961, (Codified as Article 2654c, Vernon's R. C. S.) by adding subsection "(k)," exempting individuals teaching in Texas Public Schools from paying tuition charges while attending summer sessions and taking courses for a graduate degree in any fully state supported institution of higher learning; repealing laws or parts of laws inconsistent with the provisions of this Act; providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 439 on Third Reading**

Senator Strong moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 439 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Kazen
Bates	Kennard
Blanchard	Krueger
Calhoun	Parkhouse
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Snelson
Hazlewood	Spears
Herring	Strong
Hightower	Word

**Nays—1**

Hardeman

**Absent**

Watson

**Absent—Excused**

Crump	Ratliff
Moore	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Co-authors of Senate Bill 439**

On motion of Senator Strong and by unanimous consent Senators Hall, Snelson, Harrington, Dies, Kazen, Reagan, Hazlewood, Richter and Patman will be shown as co-authors of S. B. No. 439.

**Motion to Adjourn**

Senator Hardeman moved that the Senate stand adjourned until 10:30 o'clock a.m. on Monday, May 24, 1965.

Question on the motion to adjourn, Yeas and Nays were demanded.

The motion to adjourn was lost by the following vote:

**Yeas—6**

Aikin	Parkhouse
Hardeman	Reagan
Hazlewood	Snelson

**Nays—21**

Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Patman
Colson	Richter
Creighton	Rogers
Dies	Schwartz
Hall	Spears
Harrington	Strong
Herring	Word
Hightower	

**Absent**

Watson

**Absent—Excused**

Crump	Ratliff
Moore	

**Resolution Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled resolution:

S. C. R. No. 108, Recalling H. B. No. 699 from the House for further consideration.

**Leaves of Absence**

Senator Snelson was granted leave



of absence for today on account of important business on motion of Senator Hardeman.

Senator Hightower was granted leave of absence for today on account of important business on motion of Senator Hardeman.

#### Senate Bill 408 on Second Reading

On motion of Senator Kazen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 408, A bill to be entitled "An Act to authorize and provide for the establishment of Regional Educational Media Centers pursuant to rules and regulations prescribed by the State Board of Education and the Central Education Agency for the purposes and subject to certain provisions and limitations herein contained, thereby to provide for a system or program for the local development, operation and distribution of educational media services, professional and material, for participating public school districts of Texas; etc., and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following committee amendment to the bill:

Amend S. B. No. 408 by striking out the provisions of Section 13 and substituting in lieu thereof the following:

No state funds shall be expended for the purposes of this Act until the 1967-1968 school year.

The committee amendment was read and was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

#### Senate Bill 408 on Third Reading

Senator Kazen moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 408 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Hightower
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Strong
Herring	Word

#### Absent

Watson

#### Absent—Excused

Crump	Ratliff
Moore	Snelson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

#### Senate Concurrent Resolution 114 on Second Reading

The Senate resumed the consideration of pending business, same being S. C. R. No. 114, on its second reading.

Question—Shall S. C. R. No. 114 be adopted?

Question on the adoption of S. C. R. No. 114, Yeas and Nays were demanded.

The resolution was adopted by the following vote:

#### Yeas—21

Aikin	Kazen
Bates	Kennard
Calhoun	Krueger
Cole	Patman
Colson	Richter
Creighton	Rogers
Dies	Schwartz
Hall	Spears
Harrington	Strong
Hazlewood	Word
Herring	

#### Nays—4

Blanchard	Parkhouse
Hardeman	Reagan

**Absent**

Watson

**Absent—Excused**Crump  
Hightower  
MooreRatliff  
Snelson**House Bill 97 on Third Reading**

Senator Patman asked unanimous consent to suspend the regular order of business and take up H. B. No. 97 for consideration at this time.

There was objection.

Senator Patman then moved to suspend the regular order of business and take up H. B. No. 97 for consideration at this time.

The motion prevailed by the following vote:

**Yeas—18**

Aikin	Kennard
Bates	Krueger
Blanchard	Patman
Cole	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Word

**Nays—6**

Calhoun	Hardeman
Colson	Kazen
Creighton	Parkhouse

**Absent**

Strong                      Watson

**Absent—Excused**

Crump	Ratliff
Hightower	Snelson
Moore	

The President laid before the Senate on its third reading and final passage:

H. B. No. 97, A bill to be entitled "An Act creating the Commission on Organization of the Executive Branch of the Government and providing for its powers, duties; etc.; and declaring an emergency."

The bill was read the third time.

Question—Shall H. B. No. 97 be finally passed?

(Senator Aikin in the Chair)

**House Bill 687 Re-referred**

On motion of Senator Parkhouse and by unanimous consent H. B. No. 687 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

**House Bill 97 on Final Passage**

The Senate resumed the consideration of pending business, same being H. B. No. 97.

Question—Shall H. B. No. 97 be finally passed?

Question on final passage of H. B. No. 97, Yeas and Nays were demanded.

The bill was finally passed by the following vote:

**Yeas—19**

Aikin	Kennard
Bates	Krueger
Blanchard	Patman
Cole	Reagan
Dies	Richter
Hall	Rogers
Harrington	Schwartz
Hazlewood	Spears
Herring	Word
Kazen	

**Nays—5**

Calhoun	Hardeman
Colson	Parkhouse
Creighton	

**Absent**

Strong                      Watson

**Absent—Excused**

Crump	Ratliff
Hightower	Snelson
Moore	

(President in the Chair.)

**Motion to Place Senate Bill 315 on Second Reading**

Senator Krueger asked unanimous consent to suspend the regular order of business and take up S. B. No. 315 for consideration at this time.

There was objection.

Senator Krueger then moved to suspend the regular order of business

to take up S. B. No. 315 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

**Yeas—12**

Aikin	Hardeman
Blanchard	Hazlewood
Calhoun	Krueger
Colson	Parkhouse
Creighton	Reagan
Hall	Word

**Nays—11**

Bates	Kennard
Cole	Patman
Dies	Rogers
Harrington	Schwartz
Herring	Spears
Kazen	

**Absent**

Richter	Watson
Strong	

**Absent—Excused**

Crump	Ratliff
Hightower	Snelson
Moore	

**Senate Bill 152 With House Amendment**

Senator Schwartz called S. B. No. 152 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

**House Amendment No. 1**

Amend S. B. No. 152 by striking all below the enacting clause and substituting the following:

Section 1. The regulation of traffic and prohibition of littering on the public beaches is of great concern both to the residents of Gulf Coast counties and to those of the state at large. The variety of existing needs and conditions, the ever-changing area and nature of our beaches, and the myriad interests of the counties in whose boundaries the beaches lie require above all else flexible solutions to the traffic and littering problems. The Legislature accordingly finds that

(1) the continued enjoyment by the people of this state of our public beaches necessitates the orderly regulation of vehicular traffic and prohibition of littering on these beaches; and

(2) it is impractical, if not impossible, to prescribe by general law, applicable to each of our public beaches, regulations and prohibitions which would realistically accommodate the legitimate interests of the local governments most directly concerned.

It is therefore the purpose of this Act to authorize the Gulf Coast counties to adopt, within the limitations herein prescribed, regulations and prohibitions suited to the conditions and needs prevailing within their boundaries.

Sec. 2. Section 8, Chapter 19, Acts of the 56th Legislature, Second Called Session, 1959 (Article 5415d, Vernon's Texas Civil Statutes), is amended to read as follows:

"Sec. 8.(a) The commissioners court of a county bordering on the Gulf of Mexico or its tidewater limits may by order regulate motor vehicle traffic on a beach within the boundaries of the county. It may also prohibit by order the littering of such beach and to this end may define the term 'littering.'

"(b) Before a commissioners court may adopt an order authorized by Subsection (a) of this section, it must

(1) publish notice in at least one newspaper having general circulation in the county of its intention to adopt the order;

(2) in the notice, state the time and place of a public hearing on the proposed order and state that interested persons may obtain copies of the proposed order from the commissioners court;

(3) make copies of the proposed order available to interested persons;

(4) more than two weeks, but less than one month, after the notice is published, conduct a hearing at the time and place stated in the notice, at which it must allow all interested persons to express their views on the proposed order; and

(5) in the case of traffic regulation, provided in the order for signs, designated and posted in compliance with the current provisions of the

Texas Manual on Traffic Control Devices for Streets and Highways, stating the applicable speed limit, parking requirement, or that vehicles are prohibited, as the case may be;

(c) The commissioners court may, in an order duly adopted under Subsections (a) and (b) of this section, provide the following criminal penalties for violation of the order:

(1) for a first conviction, a fine not exceeding \$50.00;

(2) for a second conviction, a fine not exceeding \$200; and

(3) for a conviction subsequent to the second, a fine not exceeding \$500 or imprisonment in a county jail not exceeding 60 days or both such fine and imprisonment.

"(d) If an order duly adopted under Subsections (a) and (b) of this section conflicts with a General Law of this State, the order controls over the state law and in case of violation prosecution may be maintained only under the order.

Sec. 3. This Act shall not limit the power of an incorporated city, town, or village bordering on the Gulf of Mexico or any body of water adjacent thereto to regulate motor vehicle traffic and prohibit littering on a beach within its corporate limits. In the event such regulatory ordinances are passed by such a city, town, or village, and such ordinance conflicts with a General Law of this State, or with an order of the Commissioners Court adopted under this Act, the ordinance controls over the state law, and over such order, and in case of violation, prosecution may be maintained only under the ordinance.

Sec. 4. The right of the public to use the public beaches defined in this Act remains inviolate subject only to orders duly adopted by a commissioners court under this Act and to ordinances enacted by an incorporated city, town, or village.

Sec. 5. If any Section, subsection, paragraph, sentence, clause, phrase, or word in this Act, or application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of this Act, and the Legislature hereby declares it would have passed such remaining portion despite such invalidity.

Sec. 6. The importance of this leg-

islation and the crowded condition of the Calendars in both House create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and the Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—24

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Word

Absent

Strong                      Watson

Absent—Excused

Crump	Ratliff
Hightower	Snelson
Moore	

Senate Bill 264 Ordered Not Printed

On motion of Senator Aikin and by unanimous consent S. B. No. 264 was ordered not printed.

Motion to Reconsider Vote by Which Senate Concurred in House Amendments Senate Bill 78 Spread on Journal

Senator Herring asked unanimous consent to reconsider the vote by which the Senate concurred in House amendment to S. B. No. 78 and that the motion to reconsider be spread on the pages of the Senate Journal.

There was objection.

Senator Herring then moved to reconsider the vote by which the Sen-

ate concurred in House amendments to S. B. No. 78 and that the motion to reconsider be spread on the Senate Journal.

The motion prevailed by the following vote:

## Yeas—22

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Patman
Colson	Reagan
Creighton	Richter
Dies	Rogers
Hall	Schwartz
Harrington	Spears
Hazlewood	Word

## Nays—2

Hardeman	Parkhouse
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## Absent

Strong	Watson
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## Absent—Excused

Crump	Ratliff
Hightower	Snelson
Moore	

## House Bill 588 Ordered Not Printed

On motion of Senator Kennard and by unanimous consent H. B. No. 588 was ordered not printed.

## Motion to Place House Bill 196 on Second Reading

Senator Reagan asked unanimous consent to suspend the regular order of business and take up H. B. No. 196 for consideration at this time.

There was objection.

Senator Reagan then moved to suspend the regular order of business and take up H. B. No. 196 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

## Yeas—14

Aikin	Harrington
Bates	Kazen
Blanchard	Parkhouse
Calhoun	Reagan
Colson	Richter
Dies	Rogers
Hall	Word

## Nays—9

Cole	Krueger
Creighton	Patman
Hardeman	Schwartz
Herring	Spears
Kennard	

## Absent

Hazlewood	Watson
Strong	

## Absent—Excused

Crump	Ratliff
Hightower	Snelson
Moore	

## Senate Bill 264 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 264, A bill to be entitled "An Act providing for the implementation of a program of student teaching, providing for administration of program, financing of program, an effective date, a severability clause, and an emergency clause."

The bill was read second time and passed to engrossment.

## Senate Bill 264 on Third Reading

Senator Aikin moved that Senate Rule 38 and the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 264 be placed on its third reading and final passage.

## Yeas—24

Aikin	Herring
Bates	Kazen
Blanchard	Kennard
Calhoun	Krueger
Cole	Parkhouse
Colson	Patman
Creighton	Reagan
Dies	Richter
Hall	Rogers
Hardeman	Schwartz
Harrington	Spears
Hazlewood	Word

## Absent

Strong	Watson
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**Absent—Excused**

Crump	Ratliff
Hightower	Snelson
Moore	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**House Bill on First Reading**

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 195, To the Committee on Legislative, Congressional and Judicial Districts.

**Bills Signed**

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 20, A bill to be entitled "An Act validating all proceedings by certain cities and towns in the issuance and sale of revenue time warrants pursuant to Articles 1111 to 1118, Revised Civil Statutes of Texas, 1925, as amended, and Chapter 258, Acts of the 49th Legislature, 1945, as amended, and in the pledging of revenues of any international toll bridge system; and declaring an emergency."

H. B. No. 371, A bill to be entitled "An Act relating to the issuance of revenue bonds or revenue time warrants to effect the purpose of repairing, improving, reconstructing, or replacing an existing toll bridge or building an auxiliary bridge; amending Sections 13(b) and 13(c), Chapter 258, Acts of the 49th Legislature, 1945, as added; and declaring an emergency."

H. B. No. 375, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the official shorthand reporters for the 128th and 163rd Judicial Districts of Texas; providing for severability; and declaring an emergency."

H. B. No. 394, A bill to be entitled "An Act repealing House Bill No. 789, Chapter 155, page 282, Acts of the

57th Legislature, Regular Session, 1961, creating Jasper County Road District No. 8 of Jasper County, Texas; containing other provisions relating to the subject; and declaring an emergency."

H. B. No. 486, A bill to be entitled "An Act relating to the possession of shrimp in certain waters, lawfully taken from the waters of another state; amending Section 11A, Texas Shrimp Conservation Act, as amended; and declaring an emergency."

H. B. No. 543, A bill to be entitled "An Act relating to seizure and disposition of certain seines, nets, traps, and other devices in certain tidal waters of Willacy County; amending Section 5, Chapter 247, Acts of the 56th Legislature, Regular Session, 1959; and declaring an emergency."

H. B. No. 665, A bill to be entitled "An Act amending Article 2326j-6 Vernon's Annotated Civil Statutes Title 42 so as to provide for the application of this Act to the official shorthand reporters for the Judicial District Courts, Civil or Criminal, and the Official shorthand reporter for the County Court of Jefferson County at Law and the Court of Domestic relations for Jefferson County, Texas, providing for the fixing and determining of compensation of such official court reporters by the judges of such Judicial District Courts, Civil or Criminal, and the Judge of the County Court at Law, so as to provide an annual compensation of not more than nine thousand six hundred dollars per annum in addition to compensation for transcripts, statements of fact, etc.; repealing all prior acts in conflict therewith and declaring an emergency."

H. B. No. 693, A bill to be entitled "An Act establishing a juvenile board in Van Zandt County; and declaring an emergency."

H. B. No. 824, A bill to be entitled "An Act providing for the appointment by the District Judge of the Sixteenth Judicial District of Texas, composed of the Counties of Cooke and Denton, of an official shorthand reporter for such judicial district; providing his qualifications; providing that the salary of said official shorthand reporter shall be fixed and determined by the Judge of said ju-

dicial district and not otherwise; providing for the manner of payment of said salary and out of what fund; providing for transcript fees and allowance for hotel and traveling expenses; providing a saving clause; and declaring an emergency."

H. B. No. 853, A bill to be entitled "An Act relating to the exemption of certain deaf and blind students from the payment of tuition at state-supported institutions of collegiate rank; and declaring an emergency."

H. B. No. 931, A bill to be entitled "An Act relating to an additional tax for any common or independent school district having 200 scholastics or less in certain counties; and declaring an emergency."

H. B. No. 1092, A bill to be entitled "An Act to provide that school districts in counties contiguous to those authorized to operate a bi-county day school for the deaf may participate in the program upon approval by the Texas Education Agency of requests from a school district in a contiguous county and the school district designated to conduct the bi-county day school for the deaf; and declaring an emergency."

H. B. No. 1027, A bill to be entitled "An Act re-enacting and amending Chapter 76, Acts of the Fiftieth Legislature, 1947 (compiled as Article 6243g-1 of Vernon's Texas Civil Statutes), as amended, relating to Pension Systems for policemen in cities of nine hundred thousand (900,000) or more inhabitants which do not now have a police, firemen and fire alarm operators pension system organized under another law; and declaring an emergency."

#### Reports of Standing Committees

Senator Richter by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Education, to which was referred H. B. No. 925, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

RICHTER, Vice-Chairman.

Senator Snelson by unanimous consent submitted the following report:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to which was referred H. B. No. 793, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SNELSON, Vice-Chairman.

#### Memorial Resolutions

S. R. No. 722—By Senator Snelson: Memorial resolution for Jim Surratt.

S. R. No. 723—By Senator Hazlewood: Memorial resolution for Frank M. Butler.

#### Welcome Resolutions

S. R. No. 724—By Senator Herring: Extending welcome to students, teachers and sponsors of Texas School for the Blind of Austin.

S. R. No. 726—By Senator Schwartz: Extending welcome to Tuncer Karamustafaoglu of Foreign Leadership Program.

S. R. No. 727—By Senator Herring: Extending welcome to students and teacher of Lamar Junior High School of Austin.

S. R. No. 728—By Senator Word: Extending welcome to students, teachers and sponsors of Burleson High School.

S. R. No. 729—By Senators Hall and Aikin: Extending best wishes to Paul M. Fulks, Sr., of Wolfe City.

#### Adjournment

On motion of Senator Kennard the Senate at 4:00 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, May 24, 1965.

#### APPENDIX

#### Reports of Standing Committee

Senator Hardeman submitted the following reports:

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 12, "An Act creating a Texas State Committee on Aging to be known as the "Governor's Committee on Aging"; providing for the appointment of the Committee, a Governor's Citizens Council on Aging, a Coordinator of Aging, and such other appropriate staff as is deemed necessary, and defining their term of office, powers, duties, functions, responsibility, and relationships with other agencies and officers of the state; authorizing the Committee to accept and expend funds made available through any Federal and/or state grant or appropriation for the purposes of carrying out the purposes of this Act; authorizing the Committee to accept gifts and/or grants from private sources and to expend same in the interest of furthering the purposes set out in this Act; providing a repealing clause; a saving clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 319, "An Act amending Subsections (1), (2), (4) and (6) of Section 2 of Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended, and codified as Article 7083a; concerning the allocation of state moneys to the "Blind Assistance Fund," the "Children's Assistance Fund," the "Old Age Assistance Fund" and the "Disabled Assistance Fund"; providing for the allocation to each such fund an amount out of state funds for each fiscal year which will provide funds in amounts equivalent to the funds appropriated by the Legislature for such purposes; fixing the operative date of the Act; providing a

repealing clause, a savings clause; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 78, "An Act to amend Subsection (j) to Section 1, Acts, 1929, Regular Session, Chapter 314, Page 698, as amended (codified as Article 911b, Title 25, Vernon's Annotated Revised Civil Statutes of Texas), so as to exclude from the term "transporting property for compensation or hire," equipment furnished by the owner thereof, by lease, and when, during the same period of time the owner of the equipment furnished is employed to operate such equipment, and when such equipment and driver are to be used exclusively in the transportation of sand, gravel, dirt, caliche, shell, asphalt rock, crushed stone, hot-mix asphaltic concrete (not liquid asphalt), and aggregate, in bulk, when such substances have been processed by the person to whom the equipment is furnished, and when such substances are being transported to or from the job site of any construction project being performed by the lessee for or on behalf of the Federal Government, the State of Texas, or any political subdivision thereof, or to or from the construction site of any national defense project or airport and roadways leading thereto, or to or from the construction site of any road, highway and expressway; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on En-grossed and Enrolled Bills, to which was referred:

S. B. No. 84, "An Act relating to



the licensing and regulation of motor transportation brokers by the Railroad Commission of Texas; providing an effective date; providing a severability clause; repealing conflicting laws; and declaring an emergency." have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 391, "An Act to reconstitute the membership of the State Building Commission as provided by Article III, Section 51-b, Constitution of Texas, 1876, as amended, by adding the Lieutenant Governor to the State Building Commission in place of the Chairman of the Board of Control; and declaring an emergency."

have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Austin, Texas,  
May 21, 1965.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 63, "An Act amending Subsection (a) of Section 109 of the Texas Probate Code so as to provide that either the father or the mother is entitled to appoint as guardian of the estates of the minor children by the marriage if the parents live together; and declaring an emergency." have carefully compared same and find it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

May 21, 1965

S. B. No. 12

S. B. No. 63

S. B. No. 84

S. B. No. 391

S. B. No. 78

S. B. No. 319

S. C. R. No. 108

## In Memory of Dr. Daniel A. Penick

Senator Herring offered the following resolution:

(Senate Resolution 719)

Whereas, Dr. Daniel A. Penick, whose teaching and coaching career spanned almost the entire development of The University of Texas, died on November 8, 1964, at the age of 95; and

Whereas, for almost six decades, Dr. Penick served the University not only as tennis coach but as friend and counselor in fields ranging from Latin and Greek to music and religion to Sanskrit and baseball; and

Whereas, Dr. Harry Ransom, Chancellor of the University, paid him tribute by saying that "Apart from his great reputation as a teacher of the classics and his fame as a tennis coach, he had the kind of influence on students that is this institution's main claim to distinction"; and

Whereas, His teams won all 10 of the Southwest Conference tennis team titles awarded while he was coach, 27 of the 41 singles championships, and 31 of the 41 doubles championships; and

Whereas, Two of his players, Wilmer Allison in 1927 and Berkley Bell in 1929, won national singles championships, and his coaching produced five national doubles title winners; Lewis White and Louis Thalheimer in 1923 and 1924; Bruce Barnes and Karl Kamrath in 1931; John Hickman and Walter Driver in 1943; and Hickman and Felix Kelly in 1944; and

Whereas, He himself played his last tennis at age 82 and was still The University of Texas tennis coach at the age of 87; and

Whereas, America's top collegiate tennis trophy now bears Penick's name, since the Penick Bowl succeeded the Garland Bowl in the late 1940's as the symbol of supremacy in the National Collegiate Athletic Association tournament; and

Whereas, Dr. Penick served from 1923 to 1935 as a president of the Southwest Conference and also held offices, decade after decade, with the Texas State Tennis Association and the United States Lawn Tennis Association; and

Whereas, He was voted membership in the Texas Sports Hall of Fame in 1962; and

Whereas, During his years at the University, Dr. Penick was a professor of classical languages, headed the Correspondence Division from 1920 to 1927, and was assistant dean of the College of Arts and Sciences from 1928 to 1940; and

Whereas, When he went on modified service as a professor of classical languages in 1940, he accepted his first pay for the tennis coaching job; and

Whereas, He was a pillar in the University Presbyterian Church, directing the choir there for 35 years and serving as an elder for more than 40 years; and

Whereas, As a Phi Beta Kappa in Greek and classical languages, he adhered steadfastly to one phase of Greek Philosophy—that of the well-rounded man—and often expressed the conviction that every person should develop a four-sided personality, improving his mind, his body, his soul and his social life; and

Whereas, Born on a farm in North Carolina on September 7, 1869, he came to Austin with his parents when he was 14 years old and began his formal education at the age of 16, when Austin High School conditionally put him in the eighth grade; and

Whereas, He was graduated from high school in 1887 and, after studying Greek, Latin, English, philosophy, chemistry, physics and geology, graduated second in the 12-member University of Texas class of 1891; and

Whereas, He stayed on to receive a master's degree in Greek and Latin, to join Kappa Alpha fraternity and to excel in intramural sports before accepting a job as principal of Parish High School, later moving on to a teaching job at the old Daniel Baker College in Brownwood; and

Whereas, He went to Johns Hopkins University in 1894 to work on his doctorate, which he earned in 1898 with specialization in Latin, Greek and Sanskrit; and

Whereas, During his early days as a \$1,000-a-year instructor of Greek and Latin on the University staff, he met Miss Chloe Parmalee Hastings, and they were married on December 26, 1901; and

Whereas, He is survived by Mrs. Penick of Austin, two sons, Dr. R. Cochrane Penick, a professor at Southwestern University, Georgetown, and Dixon B. Penick of Andover, Massachusetts; and a daughter, Mrs. Ruth Pickard of Indiana, Pennsylvania; now, therefore, be it

Resolved, That the Senate of the State of Texas through this Resolution pay tribute to the inspiring life of Dr. Daniel A. Penick and to his many noteworthy contributions to The University of Texas and to the academic, cultural, athletic and religious life of his city and state; and be it further

Resolved, That a copy of this Resolution be sent to his family as a token of our deep regard and esteem and that when the Senate adjourns this day it do so in honor of Daniel A. Penick, the "Good Gray Doctor" of The University of Texas.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of  
**Mrs. M. E. (Lalla) Odom**

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Senator Herring offered the following resolution:

(Senate Resolution 720)

Whereas, The City of Austin lost a distinguished citizen and the Texas education profession one of its most outstanding members with the death of Mrs. W. E. (Lalla) Odom on April 13, 1964; and

Whereas, Mrs. Odom was a long-time Austin teacher and a founder of Delta Kappa Gamma, international honorary teaching society; and

Whereas, Her Austin teaching career began in 1917 at Metz School, and she was head of the department of mathematics at Allan Junior High School for more than 20 years; and

Whereas, She was one of 12 Texas women, representing a cross-section of educational work, who started the Delta Kappa Gamma Society in 1929, working in surrounding counties to enlist prospective members and organize additional chapters and serving as the first president of Alpha Chapter in Austin; and

Whereas, The organization has grown to become the largest organized group of women educators in the world, with 87,000 members belonging to 1,850 chapters; and

Whereas, After serving as national corresponding secretary, chairman of many state and national committees, member of the national planning committee and a member of the international administrative board, Mrs. Odom was presented the society's coveted achievement medal at a convention in Minneapolis in 1958; and

Whereas, Mrs. Odom was a native of Fayette County, where her Irish father, James F. McClatchy, who enlisted in the Confederate Army at the age of 16, had later migrated from Mississippi; and

Whereas, Her maternal grandfather, Joel W. Robison, helped capture Santa Anna after the Battle of San Jacinto and further distinguished himself in the Texas Legislature and as a member of the State Constitution Committee; and

Whereas, Mrs. Odom attended Waco Female College and Baylor University, obtaining a B. A. degree by the time she was 17 years old, and later earned a diploma from the Cincinnati Conservatory of Music; and

Whereas, Her first position was as a teacher of music and mathematics at Willie Halsell College, Vinita, Oklahoma, where the late famous humorist-philosopher Will Rogers was one of her students and where began a friendship between them which lasted throughout his life; and

Whereas, After her marriage to William Edgar Odom, a prominent ranchman, in Ardmore, Oklahoma, the couple lived in Ballinger, Seymour and Ardmore before moving to Austin when their sons were of school age; and

Whereas, Mrs. Odom continued her studies during her teaching career, attending The University of Texas, where she earned a master's degree and and took additional graduate courses in education, government and English; and

Whereas, She was a charter member of the Classroom Teachers Association; an organizer and president of the Austin branch, Texas State Teachers Association; and a life member of the state organization in addition to holding membership in the National Education Association and the Retired Teachers Association; and

Whereas, In addition to these professional organizations, she also participated with distinction in the League of Women Voters, the Business and Professional Women's Club, the United Daughters of the Confederacy and the Daughters of the Republic of Texas; and

Whereas, She is survived by her sons, Jamie M. Odom and Will E. Odom, both of Austin; a sister, Mrs. Dudley Douglas of Austin; a grandson, W. C. Bennett of Austin; and two great-grandchildren; now, therefore, be it

Resolved, That the Senate of the State of Texas through this resolution pay tribute to the inspiring life of Mrs. W. E. (Lalla) Odom and to her outstanding contributions to Texas education, including her role in the founding of the Delta Kappa Gamma Society; and be it further

Resolved, That copies of this resolution be prepared and sent to her sons as an expression of our esteem and that when the Senate adjourns this day, it do so in her memory.

The resolution was read and was adopted by a rising vote of the Senate.